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Washington, Thursday, September 26, 1946

Regulations

TITLE 7—AGRICULTURE

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 144, Amdt. 17]

PART 1468—GRAIN

USE OF WHEAT BY MILLERS

Section 1468.13, War Food Order No. 144, as amended (11 F. R. 6750, 7322, 7563, 7738, 7999, 8214, 9551) is hereby further amended by deleting the period at the end of paragraph (d), substituting a comma in lieu thereof, and adding immediately thereafter the following: "Provided, however, That during the period from September 1, 1946, to October 31, 1946, both inclusive, any miller may produce flour for domestic use or consumption in a quantity not in excess of twice the monthly quantity of flour which may be produced under the provisions of this paragraph (d)."

This amendment shall become effective at 12:01 a. m., e. s. t. September 21, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 144, as amended, all provisions of said order shall be deemed to remain in force for the purpose of sustaining any proper suit, action, or other proceeding, with respect to any such violation, right, liability, or appeal.

(E. O. 9280, 7 F. R. 10179; E. O. 9577, 10 F. R. 8037)

Issued this 20th day of September 1946.

[SEAL] CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

[F. R. Doc. 46-17278; Filed, Sept. 25, 1946; 8:59 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5432]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

WEST COAST PACKING CORP. ET AL.

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the sale and distribution of fish and sea-food products in commerce paying or granting, directly or indirectly, to any buyer, anything of value as a commission or brokerage, or any compensation, allowance, or discount in lieu thereof, upon purchases made for such buyer's own account; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U. S. C., sec. 13 (c)) [Cease and desist order, West Coast Packing Corp. et al., Docket 5432, September 5, 1946]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of September A. D. 1946.

In the Matter of West Coast Packing Corporation, a Corporation, and Albert Vignolo, Sr., Eugene Giacomino, and Albert Vignolo, Jr., Individually and as Officers of Corporate Respondent, West Coast Packing Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and answer of the respondents, which answer admits all the material allegations of fact set forth in said complaint and waives all intervening procedure and further hearings as to said facts; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of subsection (c) of Section 2 of the Act of Congress entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," ap-

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proved October 15, 1914 (the Clayton Act), as amended by an Act of Congress approved June 19, 1936 (Robinson-Patman Act);

It is ordered, That the respondent West Coast Packing Corporation, a corporation, and its respective officers, and the respondents Albert Vignolo, Sr., Eugene Giacomino, and Albert Vignolo, Jr., individually and as officers of said corporate respondent, and their respective representatives, agents, and employees, directly or through any corporate or other device in connection with the sale and distribution of fish and seafood products in commerce as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

Paying or granting, directly or indirectly, to any buyer, anything of value as a commission or brokerage, or any compensation, allowance, or discount in lieu thereof, upon purchases made for such buyer's own account.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 46-17319; Filed, Sept. 25, 1946; 9:11 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter A—Board of Governors of Federal Reserve System

PART 224—DISCOUNT RATES

Sec.	
224.1	Introduction.
224.2	Advances and discounts for member banks under sections 13 and 13a.
224.3	Advances to member banks under section 10 (b).
224.4	Advances to persons other than member banks.
224.5	Buying rates on bills.
224.6	Rates to industrial or commercial businesses under section 13b.

Sec.	
224.7	Rates to financing institutions under section 13b.
224.8	Findings.

AUTHORITY: §§ 224.1 to 224.8, inclusive, issued under sec. 14 (d), 38 Stat. 264 as amended by 41 Stat. 550, 42 Stat. 1480 and 49 Stat. 704, 706; 12 U. S. C. 357.

§ 224.1 *Introduction.* The following are the rates to be charged by the Federal Reserve Banks as established by such Banks and as reviewed and determined by the Board of Governors of the Federal Reserve System, pursuant to the provisions of section 14 (d) of the Federal Reserve Act. All rates are stated in per cent per annum. Except as otherwise provided, these rates are effective immediately.

§ 224.2 *Advances and discounts for member banks under sections 13 and 13a.* The rates for all advances and discounts under sections 13 and 13a of the Federal Reserve Act (except advances under the last paragraph of such section 13 to individuals, partnerships or corporations other than member banks) are:

Federal Reserve Bank of—	Rate	Effective
Boston.....	1	Apr. 27, 1946
New York.....	1	Apr. 25, 1946
Philadelphia.....	1	Do.
Cleveland.....	1	May 3, 1946
Richmond.....	1	May 10, 1946
Atlanta.....	1	Do.
Chicago.....	1	Apr. 26, 1946
St. Louis.....	1	Do.
Minneapolis.....	1	Do.
Kansas City.....	1	Apr. 27, 1946
Dallas.....	1	May 10, 1946
San Francisco.....	1	Apr. 25, 1946

§ 224.3 *Advances to member banks under section 10 (b).* The rates for advances to member banks under section 10 (b) of the Federal Reserve Act are:

Federal Reserve Bank of—	Rate	Effective
Boston.....	1½	Oct. 27, 1942
New York.....	1½	Oct. 30, 1942
Philadelphia.....	1½	Oct. 17, 1942
Cleveland.....	1½	Sept. 12, 1942
Richmond.....	1½	Oct. 28, 1942
Atlanta.....	1½	Oct. 15, 1942
Chicago.....	1½	Aug. 29, 1942
St. Louis.....	1½	Mar. 14, 1942
Minneapolis.....	1½	Oct. 30, 1942
Kansas City.....	1½	Oct. 27, 1942
Dallas.....	1½	Oct. 17, 1942
San Francisco.....	1½	Oct. 28, 1942

§ 224.4 *Advances to persons other than member banks.* The rates for advances to individuals, partnerships or corporations other than member banks secured by direct obligations of the United States under the last paragraph of section 13 of the Federal Reserve Act are:

Federal Reserve Bank of—	Rate	Effective
Boston.....	2	Mar. 29, 1946
New York.....	2½	Apr. 6, 1946
Philadelphia.....	2	Mar. 23, 1946
Cleveland.....	2	Mar. 9, 1946
Richmond.....	2½	Mar. 16, 1946
Atlanta.....	2	Do.
Chicago.....	2	Do.
St. Louis.....	2	Do.
Minneapolis.....	2	Mar. 23, 1946
Kansas City.....	2	Apr. 13, 1946
Dallas.....	2	Mar. 16, 1946
San Francisco.....	2½	Apr. 25, 1946

§ 224.5 Buying rates on bills. The buying rates on bills are:

Federal Reserve Bank of—	Rate for Treasury bills	Effective	Minimum rate for prime bankers' acceptances ¹	Effective
Boston	3 1/4	Apr. 30, 1942	1	Aug. 30, 1946
New York	3 1/4	do	1	Aug. 24, 1946
Philadelphia	3 1/4	do	1	Sept. 7, 1946
Cleveland	3 1/4	do	1	Do.
Richmond	3 1/4	do	1	Sept. 14, 1946
Atlanta	3 1/4	do	1	Sept. 20, 1946
Chicago	3 1/4	do	1	Aug. 31, 1946
St. Louis	3 1/4	do	1	Aug. 29, 1946
Minneapolis	3 1/4	do	1	Aug. 24, 1946
Kansas City	3 1/4	do	1	Sept. 4, 1946
Dallas	3 1/4	do	1	Sept. 14, 1946
San Francisco	3 1/4	do	1	Sept. 7, 1946

¹ Rate also applies to trade acceptances at Federal Reserve Bank of New York.

§ 224.6 Rates to industrial or commercial businesses under section 13b. The rates to industrial and commercial businesses (including loans made in participation with financial institutions) under section 13b of the Federal Reserve Act are:

Federal Reserve Bank of—	On loans	On commitments	Effective
Boston	2 1/4-5	1 1/4-1	May 29, 1942
New York	2 1/4-5	1 1/4-1 1/4	June 6, 1942
Philadelphia	2 1/4-5	1 1/4-1 1/4	May 20, 1942
Cleveland	2 1/4-5	1 1/4-1 1/4	May 8, 1942
Richmond	2 1/4-5	1 1/4-1 1/4	May 23, 1942
Atlanta	2 1/4-5	1 1/4-1 1/4	May 16, 1942
Chicago	2 1/4-5	1 1/4-1 1/4	Oct. 5, 1944
St. Louis	2 1/4-5	1 1/4-1 1/4	May 16, 1942
Minneapolis	2 1/4-5	1 1/4-1 1/4	Do.
Kansas City	2 1/4-5	1 1/4-1 1/4	June 6, 1942
Dallas	2 1/4-5	1 1/4-1 1/4	May 16, 1942
San Francisco	2 1/4-5	1 1/4-1 1/4	May 23, 1942

§ 224.7 Rates to financing institutions under section 13b. The rates to financing institutions under section 13b of the Federal Reserve Act are:

Federal Reserve Bank of—	On discounts or purchases		On commitments	Effective
	Portion for which institution is obligated	Remaining portion		
Boston	(1)	(2)	1 1/4-1	May 29, 1942
New York	(1)	(2)	1 1/4-1 1/4	June 6, 1942
Philadelphia	(1)	(2)	1 1/4-1 1/4	May 20, 1942
Cleveland	(1)	(2)	1 1/4-1 1/4	May 8, 1942
Richmond	(1)	(2)	1 1/4-1 1/4	May 23, 1942
Atlanta	(1)	(2)	1 1/4-1 1/4	May 16, 1942
Chicago	2 1/4-5	2 1/4-5	1 1/4-1 1/4	Oct. 5, 1944
St. Louis	1 - 1/2	(2)	1 1/4-1 1/4	May 16, 1942
Minneapolis	(1)	(2)	1 1/4-1 1/4	Do.
Kansas City	(1)	(2)	1 1/4-1 1/4	June 6, 1942
Dallas	(1)	(2)	1 1/4-1 1/4	May 16, 1942
San Francisco	(1)	(2)	1 1/4-1 1/4	May 23, 1942

¹ Rate charged borrower less commitment rate.

² Rate charged borrower, but not exceeding 1 percent above rate under Section 224.2 of this Part.

³ Rate charged borrower.

⁴ 1/4 percent on undischursed portion of loan.

§ 224.8 Findings—(a) No notice or public participation; rates effective immediately. There is no notice or public participation when rates now or hereafter specified in this part are reviewed and determined. The Board of Governors of the Federal Reserve System finds that in this situation such notice and public participation are impracticable, unnecessary, and contrary to the public interest for the reasons stated in section 2 (e) of the Board's

rules of procedure (§ 262.2 (e) of this chapter), and especially because such procedure would prevent the action from becoming effective as promptly as necessary, would permit unfair profits, would interfere with the Board's actions, would not aid the persons affected, and would otherwise serve no useful purpose. For the same reasons and good cause found, the effective dates of these rates, as now or hereafter reviewed and determined, are not deferred for 30 days; and except as otherwise provided, such rates are effective immediately.

(b) *Only changes in rates published.* Under section 14 (d) of the Federal Reserve Act, rates must be established at each Federal Reserve Bank every fourteen days, or oftener if deemed necessary by the Board of Governors of the Federal Reserve System. To avoid frequent and unnecessary publication of the fact that an existing rates is continued, only changes in rates will be published; and the fact that no new rate is published means that the existing rate has been continued.

[SEAL] BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM,
S. R. CARPENTER, Secretary.

[F. R. Doc. 46-17274; Filed, Sept. 25, 1946;
9:01 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51533]

PART 17—PROTESTS AND REAPPRAISEMENTS

REMISSION OF ADDITIONAL DUTY; PETITIONS

Procedure in connection with petitions for remission of additional duty. Section 17.10 (a), Customs Regulations of 1943, amended.

Section 17.10 (a), Customs Regulations of 1943 (19 CFR, Cum. Supp., 17.10 (a)), is hereby amended by deleting "in the office of the clerk thereof" and substituting therefor "with the collector of customs."

(Secs. 489, 624, 46 Stat. 725, 759; 19 U. S. C. 1489, 1624)

Note 12 of Part 17, Customs Regulations of 1943, is hereby changed to read as follows:

¹² Petitions for remission of additional duties, accruing by reason of advances made on

final appraisement of merchandise, shall be in writing, signed and filed, in duplicate, by the importer, consignee, or agent with the collector of customs at the port of entry at any time after final appraisement, but within 60 days after liquidation. The petition shall set forth in concise form the relief sought and the facts desired to be proved before the court. The collector shall forthwith transmit the original thereof, together with the invoice, entry, and all other papers connected therewith to the Clerk of the United States Customs Court.

(Rules of the United States Customs Court, Rule 29)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: September 12, 1946.

O. MAX GARDNER,
Acting Secretary of the Treasury.

[F. R. Doc. 46-17275; Filed, Sept. 25, 1946;
8:59 a. m.]

Chapter II—United States Tariff Commission

PART 200—ORGANIZATION AND FUNCTIONS

PART 201—RULES OF GENERAL APPLICATION

PART 204—RULES RESPECTING INVESTIGATION OF EFFECTS OF IMPORTS ON AGRICULTURAL PROGRAMS

MISCELLANEOUS CHANGES

The following corrections are made in the Rules of Practice and Procedure of the United States Tariff Commission, as published in the FEDERAL REGISTER of September 11, 1946 (11 F. R. 117A-741).

1. In § 200.5 (d), the word "Court-house" in line 13 of this paragraph is changed to read "Customhouse".

2. In § 200.5 (c), delete the word "and" appearing in the 4th line.

3. In § 200.5, the paragraph following paragraph (c) should be (d) instead of (t).

4. In Part 201, "207.7" following 201.6 in the heading is changed to "201.7".

5. In § 201.8, the word "sections" appearing in lines 6 and 7 should be changed to read "section".

6. In § 201.10, the quotation marks embracing the words "Foreign Commerce Weekly" in line 16 should be deleted.

7. In § 204.4 (c), the line reading "accepted unless verified under oath by" appearing below the footnotes should be moved to follow immediately after the words "shall be" in the third line of § 204.4 (c).

[SEAL] SIDNEY MORGAN,
Secretary.

SEPTEMBER 19, 1946.

[F. R. Doc. 46-17268; Filed, Sept. 25, 1946;
9:00 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration

PART 146—CERTIFICATION OF BATCHES OF PENICILLIN-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by

the provisions of section 507 of the Federal Food, Drug, and Cosmetics Act (sec. 507, 52 Stat. 1040 as amended by 59 Stat. 463; 21 U. S. C. Supp. V 357), the regulations for the certification of batches of penicillin-containing drugs (10 F. R. 11227), as amended, are hereby further amended as indicated below:

1. Section 146.4 (b) (3), fifth line, is amended by inserting the words "or a vasoconstrictor" following the word "gel."

2. Section 146.24 (a) (6), second line, is amended by deleting the figure "5.5" and substituting the figure "5.0" therefor.

3. Section 146.25 (c) (1) (iii), third line, is amended by deleting the word "nine" and substituting the word "eighteen" therefor.

4. Section 146.26 (a), fourth sentence, is amended to read as follows: "Its content of viable microorganisms is not more than 50 per gram."

5. Section 146.27 (a), first sentence, is amended by deleting the word "and" in line eight and deleting the period at the end thereof, substituting a comma therefor and adding "and sodium salts of fatty acids, if in quantities sufficient to exert a buffering action."

6. Section 146.27 (c) (1) (iv), third line, is amended by deleting the word "nine" and substituting the word "eighteen" therefor.

7. Section 146.27 (c) (2) is amended by adding the following new subparagraph:

(iii) Unless it is intended solely for veterinary use and is so labeled, a reference specifically identifying a readily available medical publication containing directions and precautions (including contraindications and possible sensitization) adequate for the use of such tablets buffered penicillin, or a reference to a brochure, or other printed matter containing such directions and precautions, and a statement that such brochure and printed matter will be sent on request.

8. Section 146.27 (c) (3), second and third lines, is amended by deleting the phrase, "unless it is packaged for repackaging" and substituting the following therefor: "if it is intended solely for veterinary use."

9. Section 146.29 (c) (1) (iii) is amended by deleting the period at the end thereof and adding the following: "unless it is crystalline penicillin in which case the blank is filled in with the date which is 36 months after the month during which the batch was certified."

10. Section 146.29 (c) (3) (ii) is amended by deleting the period at the end thereof and adding the following: "unless it is crystalline sodium penicillin or potassium penicillin in which case the storage statement may be omitted."

11. Section 146.31 (c) (1) (iii), third line, is amended by deleting word "nine" and substituting the word "eighteen" therefor.

12. Section 146.33 (a), eighth line, is amended by inserting between the second and third sentences the following sentence: "Its moisture content is not more than 1.0 percent."

13. Section 146.34 (c) (1) (iv), third line, is amended by deleting the word

"nine" and substituting the word "eighteen" therefor.

14. Section 146.34 (c) (2) is amended by adding the following new subparagraph:

(iii) Unless it is intended solely for veterinary use and is so labeled, a reference specifically identifying a readily available medical publication containing directions and precautions (including contraindications and possible sensitization) adequate for the use of such tablets alum precipitated penicillin, or a reference to a brochure, or other printed matter containing such directions and precautions, and a statement that such brochure and printed matter will be sent on request.

15. Section 146.34 (c) (3), second and third lines, is amended by deleting the phrase "unless it is packaged for repackaging" and substituting the following therefor: "if it is intended solely for veterinary use."

16. Section 146.35 (a), fifth line, is amended by inserting between the second and third sentences the following sentence: "Its moisture content is not more than 1.0 percent."

The foregoing amendments shall become effective on the sixtieth day after the date of the publication of this order in the FEDERAL REGISTER.

Notice and public procedure are not necessary prerequisites to the promulgation of this order and would be contrary to the public interest, and I so find, since it was drawn at the request of and in collaboration with interested members of the affected industry, and since it would be against public interest to delay modifications in the composition and labeling of the affected penicillin-containing products beyond the sixty-day period permitted for label changes.

(Sec. 507, 52 Stat. 1040 as amended by 59 Stat. 463; 21 U. S. C., Supp. V 357)

Dated: September 20, 1946.

[SEAL]

MAURICE COLLINS,
Acting Administrator.

[F. R. Doc. 46-17276; Filed, Sept. 25, 1946;
8:59 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Premium Payments Reg. 1, Interpretation 6]

PART 805—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

STRUCTURAL CLAY PRODUCTS; COMPUTATION OF PRODUCTION

The following interpretation is issued with respect to § 805.1:¹

§ 805.1 Structural clay products.

INTERPRETATION 6

Paragraph (b) (1) of Premium Payments Regulation 1 requires that for the purpose of determining the quota of a plant and the

¹ Formerly § 714.1, appearing at 11 F. R. 6904.

amount of a claim, production be computed by determining the number of units of "completely burned clay products produced in the month involved." The term "produced" includes, in its usual sense, the entire process of manufacture. The process of manufacture of a structural clay unit consists of (1) the forming of the unit, (2) the drying of the unit, and (3) the burning of the unit.

When the entire process of manufacture of a structural clay unit in any plant has taken one month or less, then it is proper to determine production in any such month by counting the number of structural clay units completely burned during that month. The same method of determining production may also be used even where the process of manufacture exceeds one month if there are no radical fluctuations (other than normal seasonal fluctuations) in the number of units completely burned from month to month.

Where, however, the process of manufacture of a structural clay unit exceeds one month, and there are radical fluctuations (other than normal seasonal fluctuations) in the number of units completely burned from month to month, it is obvious that the number of units burned in any one month does not even approximate the number of units in fact produced during that month. In such cases, it is necessary to make a reasonable allocation of the number of units completely burned during one or more months to each of the months involved in the production of those units. This should be done by dividing the total number of units completely burned during a selected group of consecutive months by the number of months in such group. It is recognized that as a practical matter in most cases, it will not be possible to select a group of months during which all of the units burned were completely manufactured. However, the aim should be to select a group of months during which the predominant number of the units that were completely burned were also completely manufactured during those same months. The monthly average of the number of completely burned units arrived at in this fashion may be regarded as the production during each of the months in the group selected for this computation.

The principles stated in this official interpretation apply for purposes of determining production both during the quota period and during a claim period.

Issued this 20th day of September, 1946.

DAVID L. KROOTH,
General Counsel.

[F. R. Doc. 46-17322; Filed, Sept. 25, 1946;
9:27 a. m.]

[Premium Payments Reg. 6, Interpretation 3]

PART 805—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

PAYMENT OF PREMIUM ON A SOUTHERN HARDWOOD FLOORING LUMBER WHICH IS DESTROYED BY FIRE AFTER COMPANY HAS PAID BONUS THEREON; ADJUSTMENT OF QUOTA

The following interpretation is issued with respect to § 805.6:

§ 805.6 Hardwood flooring (southern area).

INTERPRETATION 3

Paragraph (d) (5) provides that, except for usual waste, all southern hardwood flooring lumber on which premium A is payable must be used in the production of residential flooring, unless otherwise authorized by the Expediter. Paragraph (h) (6) (i) gives the Expediter the right to invalidate a company's

claim if it has failed to comply with any of the requirements of the regulation.

Since lumber destroyed by fire could not have been used in the production of residential flooring, there would be, as to this lumber, a failure to comply with the requirement of paragraph (d) (5). Therefore, no premium A could legally be payable with respect to such lumber, and if the fire were to occur after premium A had been paid thereon, such payment would be subject to recovery or set-off.

Destruction of lumber by fire is not a circumstance for which the Expediter will grant an exception from the requirement of paragraph (d) (5) that all lumber on which premium A is payable must be used in the production of residential flooring.

Although no premium A is payable with respect to lumber destroyed by fire, if such destruction by fire causes an interruption of production during any claim period this would constitute an interruption "due to unusual circumstances beyond the control of the company", on the basis of which an appropriate adjustment of the quota may be made for such claim period under paragraph (b) (2) of the regulation.

Issued this 21st day of September 1946.

DAVID L. KROOTH,
General Counsel.

[F. R. Doc. 46-17324; Filed, Sept. 25, 1946;
9:27 a. m.]

[Premium Payments Reg. 7, Interpretation 3]

PART 805—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

PAYMENT OF PREMIUM A ON NORTHERN HARDWOOD FLOORING LUMBER WHICH IS DESTROYED BY FIRE AFTER COMPANY HAS PAID BONUS THEREON; ADJUSTMENT OF QUOTA

The following interpretation is issued with respect to § 805.7:

§ 805.7 Hardwood flooring (northern area). * * *

INTERPRETATION 3

Paragraph (d) (5) provides that, except for unusual waste, all northern hardwood flooring lumber on which premium A is payable must be used in the production of residential flooring, unless otherwise authorized by the Expediter. Paragraph (h) (6) (i) gives the Expediter the right to invalidate a company's claim if it has failed to comply with any of the requirements of the regulation.

Since lumber destroyed by fire could not have been used in the production of residential flooring, there would be, as to this lumber, a failure to comply with the requirement of paragraph (d) (5). Therefore, no premium A could legally be payable with respect to such lumber, and if the fire were to occur after premium A had been paid thereon, such payment would be subject to recovery or set-off.

Destruction of lumber by fire is not a circumstance for which the Expediter will grant an exception from the requirement of paragraph (d) (5) that all lumber on which premium A is payable must be used in the production of residential flooring.

Although no premium A is payable with respect to lumber destroyed by fire, if such destruction by fire causes an interruption of production during any claim period this would constitute an interruption "due to unusual circumstances beyond the control of the company", on the basis of which an appropriate adjustment of the quota may be

made for such claim period under paragraph (b) (2) of the regulation.

Issued this 21st day of September 1946.

DAVID L. KROOTH,
General Counsel.

[F. R. Doc. 46-17323; Filed, Sept. 25, 1946;
9:27 a. m.]

[Premium Payments Reg. 8, Interpretation 1]

PART 805—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

QUANTITY OF CAST IRON SOIL PIPE FITTINGS REQUIRED TO BE PRODUCED IN A MONTH

The following interpretation is issued with respect to § 805.8:

§ 805.8 Cast iron soil pipe. * * *

INTERPRETATION 1

In order to be a "producer" as defined in paragraph (a) (4) of EPPR-8, as amended, a person must produce both cast iron soil pipe and cast iron soil fittings. The quantity of fittings which a person must produce for the purpose of coming within the definition is approximately that amount which is needed to complement his additional output of soil pipe in addition to the amount of fittings which he produced during the period of time on the basis of which his quota was established.

Issued this 21st day of September 1946.

DAVID L. KROOTH,
General Counsel.

[F. R. Doc. 46-17325; Filed, Sept. 25, 1946;
9:27 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, and Public Laws 270 and 475, 79th Congress; Public Law 388, 79th Congress; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-975]

CHARLES LESSER AND LEONARD SALVAGGIO

Charles Lesser resides at 3218 Glendale Avenue, Detroit, Michigan. Leonard Salvaggio of 2422 Canton Avenue, Detroit, Michigan, is engaged in business as a building contractor. On March 28, 1946 they began the construction of a commercial store building located at 13224-30 Dexter Avenue, Detroit, Michigan; without authorization from the Civilian Production Administration. The estimated cost of this construction was approximately \$39,000 which amount exceeded the limit of \$1,000 permitted by Veterans' Housing Program Order 1 and was in violation of that order. This violation has diverted critical materials to uses not authorized by the Civilian

Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.975 *Suspension Order No. S-975.* (a) Neither Charles Lesser, Leonard Salvaggio, their successors or assigns, nor any other person, shall do any construction on the premises located at 13224-30 Dexter Avenue, Detroit, Michigan, including putting up, altering or completing the structure, unless hereafter specifically authorized in writing by the Civilian Production Administration.

(b) Charles Lesser and Leonard Salvaggio shall refer to this order in any application or appeal which they may file with the Civilian Production Administration for priorities assistance or authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Charles Lesser or Leonard Salvaggio, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 24th day of September 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-17481; Filed, Sept. 24, 1946;
4:21 p. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[SO 166, Amdt. 2]

SUSPENSION AND EXEMPTION FROM PRICE CONTROL OF CERTAIN FUEL PRODUCTS AND SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order No. 166 is hereby amended in the following respects:

1. The following new item is added under section 2 (a):

4. Packaged fuel except charcoal in packages.

2. A new subparagraph (3) is added to subsection (c) of section 3 to read as follows:

(3) "Packaged fuel" is a solid fuel manufactured from a mixture of coal or petroleum coke screenings and a binder, which is compressed into cubes or bricks, wrapped in paper and sealed.

This amendment shall become effective September 25, 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

STATEMENT OF CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT NO. 2 TO SUPPLEMENTARY ORDER NO. 166

Certain fuel products have already been exempted from price control under Supplementary Order No. 166. Sales of

packaged fuel, for which maximum prices are determined by producers and distributors under Maximum Price Regulation 121 and by resellers under Revised Maximum Price Regulation No. 122 are exempted by the accompanying amendment.

Packaged fuel is limited in this amendment to a solid fuel manufactured by compressing coal or petroleum coke screenings and a cornstarch, asphalt, or other binder into bricks or cubes which are then wrapped in paper and sealed. This fuel is primarily a specialty item which generally moves in less than one ton lots to household consumers, who use it as an auxiliary fuel. The industry is a small one and its output is not a significant addition to domestic coal production. In 1945, a total of 208,143 tons of packaged fuel was produced, or less than one fifth of one percent of the quantity of coal sold to household or domestic consumers.

Packaged fuel prices are being decontrolled for the reason that this commodity is not important to living cost or to business costs. Moreover, continued control of packaged fuel prices involves administrative difficulties which are disproportionate to the effectiveness of the control and its contribution to stabilization. Its exemption in the judgment of the Administrator will be consistent with the avoidance of a cumulative and dangerous unstabilizing effect. Some slight price increases may be expected to reflect recent increases in raw materials, supply and labor costs. However, prices for packaged fuel have historically been competitive with the best grades of domestic coal, and it is anticipated that such competition will exercise a restraining influence on price. In addition, the packaged fuel industry is concerned with obtaining wider consumer acceptance, and a satisfactory relationship with other solid fuel prices is important to such acceptance.

For the reasons stated above continuation of control on purchases, sales and deliveries of packaged fuel is unnecessary. It is the opinion of the Administrator, therefore, that the exemption of packaged fuel from price control, authorized by this Amendment No. 2 to Supplementary Order No. 166 will effectuate the purpose of the Price Control Extension Act of 1946.

[F. R. Doc. 46-17494; Filed, Sept. 25, 1946; 11:24 a. m.]

PART 1305—ADMINISTRATION

[SO 177, Amdt. 7]

POSTPONING REIMPOSITION OF CONTROL ON CERTAIN COMMODITIES IN ALASKA AND HAWAII

A statement of the considerations involved in the issuance of this amendment to Supplementary Order No. 177, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1 (b) is amended by changing the provisions for RMPR 194, RMPR 288, RMPR 373 and the GMPR for Hawaii, to read as follows:

Regulation	Commodity	Sellers	Effective date
RMPR 288	Food products manufactured in whole or substantial part from reindeer.	All	Sept. 16, 1946
RMPR 194, 288	Food products manufactured in whole or substantial part from livestock (other than reindeer), cottonseed or soy beans.	(1) All sellers except sellers located in Bering Sea and Bristol Bay areas. ¹ (2) Sellers located in Bering Sea and Bristol Bay areas. ¹	Sept. 25, 1946 Jan. 1, 1947
RMPR 373, GMPR for Hawaii.	Food products manufactured in the territory of Hawaii in whole or substantial part from livestock.	(1) Wholesale distributors. (2) Retailers.	Sept. 16, 1946 Sept. 20, 1946
RMPR 373, GMPR for Hawaii.	Mainland or imported food products manufactured in whole or substantial part from livestock, cottonseed or soy beans.	(1) Wholesale distributors. (2) Retailers.	Oct. 5, 1946 Oct. 15, 1946

¹ Bering Sea and Bristol Bay areas means all places along the coast of Alaska extending from Kotzebue Sound to Bristol Bay, including Kotzebue, Nome and Bethel.

This amendment shall become effective as of September 13, 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

STATEMENT OF CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT 7 TO SUPPLEMENTARY ORDER 177

The accompanying amendment postpones the effective dates for the recontrol of mainland meat, cottonseed and soy bean products sold in the territories of Alaska and Hawaii. The territorial directors notified this Office that distributors have accumulated larger inventories than usual during the seven-week period of absence of controls, due partly to the increased availability of supplies and partly to rumors of a shipping tie-up which did in fact occur. In the Bering Sea and Bristol Bay areas of Alaska, distributors have to purchase large stocks at a time to tide them over the long periods between sailings from Seattle. It has been reported that the last shipment to these areas brought in almost a three months' supply of meat purchased at high uncontrolled prices. The new effective dates were recommended by the territorial directors as the most suitable dates for reimposition of ceilings in accordance with the policy of this Office as set forth in the Statement of Considerations accompanying the issuance of amendment 1 to Supplementary Order 177.

[F. R. Doc. 46-17495; Filed, Sept. 25, 1946; 11:24 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 129, Amdt. 14]

CONVERTED PAPER PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 129 is amended in the following respect:

Footnote 6 to item 6 in the list of products enumerated in Appendix A is amended to read as follows:

"On sales of gummed cloth tape, each manufacturer may add to his maximum price

¹ 9 F. R. 6825; 10 F. R. 11298, 15371; 11 F. R. 1525, 4237, 5282, 6014, 5950, 7131, 7341, 8772.

existing on September 30, 1946, an amount not to exceed \$1.24 per M yards of tape one inch in width. However, this increase in maximum price of gummed cloth tape shall not be applicable to those manufacturers who have received or who may receive price adjustments under SO 160 based in any part upon increases in the cost of cloth resulting from amendments 30 and 32 to SO 131, which became effective August 5, 1946 and August 30, 1946, respectively.

This amendment shall become effective September 30, 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

STATEMENT OF CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT 14 TO RMPR 129

The accompanying amendment increases the price of Gummed Cloth Tape \$1.24 per M 1" yards to offset increased costs of sheetings and osnaburgs resulting from amendments 30 and 32 to Supplementary Order 131.

The considerations leading to the present action are similar to those involved in the issuance of amendments 3 and 5 to Revised Maximum Price Regulation 129. Amendment 3 to Revised Maximum Price Regulation 129, effective December 27, 1945 increased the price of Gummed Cloth Tape to cover costs for the bulk of the industry in order to insure continued supplies of this essential material. This action was based on a cost study covering 80% of the industry output. Subsequently, the cost of sheetings was increased by 9.14% and osnaburgs by 5.38% through Amendment 14 to Supplementary Order 131, effective March 8, 1946, which resulted in a weighted average increase of slightly more than 34¢ per M 1" yards in the cost of Gummed Cloth Tape. Amendment 5 to Revised Maximum Price Regulation 129, issued April 16, 1946 increased the price of Gummed Cloth Tape to offset these increased material costs and to satisfy the minimum requirements previously found to be necessary to maintain supplies of this material.

Amendment 30 to Supplementary Order 131, effective August 5, 1946 increased the price of sheetings by 20.25% and osnaburgs by 17.50%, pursuant to the provisions of Section 14 of the Price Control Extension Act of 1946. In addition, amendment 32 to Supplementary Order 131, effective August 30, 1946 increased the price of sheetings and osnaburgs by 2.34¢ per pound. These actions have resulted in increased costs for Gummed

Cloth Tape ranging from \$1.01 to \$1.61 per M 1" yards. An average of the increases on the various grades of cloth tape weighted by the annual production of each grade results in an average cost increase of \$1.24 per M 1" yards. This substantial cost increase placed most manufacturers for Gummed Cloth Tape in the position of having to sustain losses in its continued production, and threatened to reduce sharply available supplies of this material. Since cloth tape represents an essential factor in corrugated container production, curtailment in its supply would interfere with the free movement of commodities. Consequently, Order 15 under Revised Price Regulation 129, effective August 27, 1946 granted the industry authorization for adjustable pricing pending the completion of a cost study by this Office. This amendment, based on an analysis of the effects of the recent price increases for sheetings and osnaburgs on Gummed Cloth Tape production costs, undertakes to restore the cost-price relationship of the industry to the level previously determined to be necessary for the maintenance of supply. It will result in prices that cover total costs for the bulk of the Gummed Cloth production, excluding the few high cost producers who will be selling this material at a loss.

To the extent practicable this amendment has been discussed with representatives of the industry concerned, and due consideration has been given to their recommendations.

In the light of the foregoing, it has been determined that this Amendment is fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and E. O. 9599.

[F. R. Doc. 46-17497; Filed, Sept. 25, 1946; 11:25 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMFR 165, Amdt. 2 to Supp. Service Reg. 56]

LINEN SUPPLY SERVICES IN THE DETROIT AREA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Service Regulation 56 is amended in the following respects:

1. In § 1499.697 paragraph (a) is amended to read as follows:

§ 1499.697 *Linen supply services in the Detroit area*—(a) *Maximum prices.* (1) The maximum prices established by Revised Maximum Price Regulation No. 165 for linen supply services when supplied by sellers located in the geographical area described below are hereby modified and henceforth shall be the prices set forth in Appendix A increased by seven percent, except for "large accounts" as herein defined.

(2) The maximum prices for a "large account" shall remain subject to the provisions of Revised Maximum Price Regulation 165 and any applicable supplementary

mentary service regulation, increased by seven percent.

(3) The percentage increases described above shall be applied to the total bills rendered to each customer, and not to individual items or lines. If the computation of the increase on any total bill results in an amount containing a fraction which is less than one-half cent, then the next lower cent shall be charged; if the resulting fraction is one-half or more, the next higher cent shall be charged. Lower prices than those established by this regulation may be charged.

2. Paragraph (c) is amended by the deletion of the following sentence: "The maximum prices for a "large account" shall remain subject to the provisions of Revised Maximum Price Regulation 165, and any applicable supplementary service regulation."

This amendment shall become effective September 25, 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

STATEMENT OF THE CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT 2 TO SSR 56 TO RMFR 165

The accompanying amendment increases the maximum prices for linen supply services in the Detroit Area by 7%. This increase has been established on an over-all basis, and great care has been exercised to keep it within the maximum amount allowable under existing individual adjustment criteria.

Since the effective date of SSR 56, sellers of these services in the affected area have experienced several wage increases. Furthermore, replacement costs of linen items have risen greatly. These increases were adjusted percentage-wise in accordance with the criteria used in individual adjustments and the result obtained determined the aforementioned 7% over-all increase. It is the opinion of the Administrator that for the purposes of this particular action, this area-wide increase will eliminate the necessity of resorting to individual adjustments to relieve hardship. Individual adjustments in this instance would not only create a serious administrative burden, but would destroy the uniform prices now in effect.

[F. R. Doc. 46-17498; Filed, Sept. 25, 1946; 11:25 a. m.]

PART 1499—COMMODITIES AND SERVICES [SR 14J, Amdt. 29]

MODIFICATION OF MAXIMUM PRICES ESTABLISHED FOR CERTAIN AUTOMOBILE SEAT COVERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith; and it has been filed with the Division of the Federal Register.

Supplementary Regulation No. 14J is amended in the following respects:

1. Section 3.6 (b) is amended so that that part of the first sentence thereof which precedes the colon shall read as follows:

(b) The sales covered by this subsection are the following:

2. A new section 3.6 (d) is added to read as follows:

(d) The sales covered by this subsection are the following:

(1) Sales by General Motors Corporation to retailers, wholesalers, distributors and consumers.

(2) Sales to retailers by wholesale distributors who purchased the articles from General Motors Corporation.

(3) Sales to consumers by any person who purchased the articles from General Motors Corporation, or from a wholesale distributor who purchased the articles from General Motors Corporation.

3. A new section 3.6 (e) is added to read as follows:

(e) The maximum prices for the above sales are as follows:

Automobile seat cover model	Maximum price to wholesale distributors	Maximum price for sales to retailers	Maximum price for sales to consumer
1946 Buick model, 50% saten, 41" saten Cordett thread 16/4, 30/4, paper dowel, 15"	Per set \$18.75	Per set \$21.50	Per set \$37.50

This amendment shall become effective on the 30th day of September 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

STATEMENT OF THE CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT NO. 29 TO SUPPLEMENTARY REGULATION NO. 14J

The accompanying amendment adds to Section 3.6 of Supplementary Regulation No. 14J, maximum resale prices for certain automobile seat covers manufactured by Fraser Products Company of Alpena, Michigan, and distributed through General Motors Corporation. The manufacturer's maximum prices for sales of these articles have been established pursuant to Section 1499.158 of Maximum Price Regulation No. 188.

Section 3.6 of Supplementary Regulation No. 14J which was added by Amendment 17 to that regulation established maximum resale prices for certain automobile seat covers manufactured by Fraser Products Company and distributed by Standard Oil Company of New Jersey, Standard Oil Company of Pennsylvania, and Colonial Beacon Oil Company.

The reasons set forth in the Statement of Considerations accompanying Amendment 17 to Supplementary Regulation No. 14J apply equally to the action now being taken, and they are incorporated herein by reference.

[F. R. Doc. 46-17493; Filed, Sept. 25, 1946; 11:23 a. m.]

Chapter XVIII—Office of Economic Stabilization, Office of War Mobilization and Reconversion

PART 4003—SUBSIDIES; SUPPORT PRICES

[Directive 98, Amdt. 1]

1946-CROP SOYBEANS PRICE SUPPORT PROGRAM

The text of the 1946 Crop Soybeans Price Support Program (11 F. R. 1990) is designated § 4003.53a *Soybeans, 1946 crop* and is hereby amended by designating the existing text as paragraph (a) and adding paragraph (b), as follows:

§ 4003.53a *Soybeans, 1946 crop.* * * *

(b) The Secretary of Agriculture has, by letter dated September 10, 1946, requested my approval of a price support program for soybeans of the 1946-crop, in lieu of the program previously approved by the Stabilization Administrator.

Subsidies are not involved in the proposed program, but Commodity Credit Corporation will, through lending agency agreements entered into with established lending agencies and processors, arrange for the financing of processors' purchases of soybeans at support prices and agree to take over processors' inventories of soybeans at support prices upon request. The program is more fully described in the copy of the memorandum from the Director of the Fats and Oils Branch, Production and Marketing Administration, enclosed with the Secretary's letter; accordingly: *It is hereby ordered, That:*

The Secretary of Agriculture is authorized and directed to carry out, through Commodity Credit Corporation, the 1946-crop Soybeans Price Support Program described in the Secretary's letter and memorandum enclosed therewith, in lieu of the support and subsidy program heretofore approved by me.

(56 Stat. 765; 58 Stat. 632, 642, 784; 59 Stat. 306; 15 U. S. C. 713a-8, 713a-8 note, 50 U. S. C. App. 901-903, 921-925, 961-971; Pub. Law 548, 79th Cong.; E. O. 9250, 9328, 9599, 9651, 9697, 9699, 9762, 7 F. R. 7871, 8 F. R. 4681, 10 F. R. 10155, 13487, 11 F. R. 1691, 1929, 8073)

Issued and effective this 21st day of September 1946.

JOHN R. STEELMAN,
Director of War Mobilization
and Reconversion, Director of
Economic Stabilization.

[F. R. Doc. 46-17320; Filed, Sept. 25, 1946; 9:02 a. m.]

PART 4003—SUBSIDIES; SUPPORT PRICES

[Directive 92, Amdt. 1]

1946-CROP PEANUTS SUPPORT PRICE AND LOAN PROGRAM

Section 4003.54a (32 CFR, 1945 Supp.) is hereby amended by designating the existing text as paragraph (a) and adding paragraph (b), as follows:

§ 4003.54a *Peanuts, 1946 crop.* * * *

(b) The Secretary of Agriculture, has by letter dated September 10, 1946, requested my approval of an amendment

to the support price and loan program for 1946 crop peanuts, under which Commodity Credit Corporation will make payments to crushers, with respect to No. 2 shelled peanuts purchased by them for crushing; accordingly: *It is hereby ordered, That:*

(1) The Commodity Credit Corporation is authorized and directed to make payments to crushers purchasing No. 2 shelled peanuts for crushing, in accordance with the Secretary's letter of September 10, 1946.

(2) Subsidy losses incurred in connection with the program, as contemplated by section 2 (e) of the Emergency Price Control Act of 1942, as amended by the Price Control Extension Act of 1946, shall not exceed \$12,000,000 of the total of \$869,000,000 provided therein for such purposes.

(56 Stat. 765; 58 Stat. 632, 642, 784; 59 Stat. 306; 15 U. S. C. 713a-8, 713a-8 note, 50 U. S. C. App. 901-903, 921-925, 961-971; Pub. Law 548, 79th Cong.; E. O. 9250, 9328, 9599, 9651, 9697, 9699, 9762, 7 F. R. 7871, 8 F. R. 4681, 10 F. R. 10155, 13487, 11 F. R. 1691, 1929, 8073)

Issued and effective this 21st day of September 1946.

JOHN R. STEELMAN,
Director of War Mobilization
and Reconversion, Director of
Economic Stabilization.

[F. R. Doc. 46-17321; Filed, Sept. 25, 1946; 9:02 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS RELIEF

Chapter I—Veterans' Administration

PART 2—ADJUDICATION: VETERANS' CLAIMS

MISCELLANEOUS RULES ON SERVICE CONNECTION

§ 2.1101 *Proximate results.* Disability which is proximately due to or the result of a properly service-connected disease or injury is compensable, unless such disability is shown to be the result of a nonservice-connected intervening cause. When service connection is thus established for a secondary condition the secondary condition will be considered a part of the original condition for all purposes. (§ 35.03 of this chapter.) [Sec. 3, 48 Stat. 9; U. S. C. 703]

SERVICE CONNECTION FOR DENTAL DISABILITIES

§ 2.1104 *Required period of service.* Compensation may be awarded for a dental condition under § 35.011, of this chapter and Title III, Public No. 141, 73d Congress, where active service was performed on or after April 6, 1917, and prior to November 12, 1918, or prior to April 2, 1920 for persons who served with the United States military forces in Russia, or on or after November 12, 1918, and before July 2, 1921, where there was prior service between April 6, 1917, and November 11, 1918, or (under § 35.01 only of this chapter) where active service was performed in the Spanish American War, Boxer Rebellion, Philippine Insurrection or World War II as defined by §§ 4.2000 (a), 4.2001 (a), 4.2002 (a),

4.2017 (a) of this chapter and procedural instructions of the Veterans Administration. For the purposes of § 35.01 of this chapter the veteran must have been discharged under conditions other than dishonorable, and under Public No. 141, 73d Congress, not dishonorably discharged, and the disability must have been incurred in or aggravated by active service during the defined periods and not due to wilful misconduct. However, where incurrence of the disability is shown prior to the beginning date of the war concerned or where the enlistment commenced subsequent to the termination thereof, service connection may be established only in accordance with § 35.012 of this chapter. [Sec. 1, 27, 48 Stat. 8, 524; 38 U. S. C. 471a, 701; 50 Stat. 661, 38 U. S. C. 424a]

§ 2.1105 *Service connection.* Determinations relative to the origin or aggravation in active service of dental conditions will be in accordance with the requirements of §§ 35.011 (a) (1) and 35.012 (a) (1) of this chapter, respectively, as amended, and section 28, Title III, Public No. 141, 73d Congress.

(a) When a period of six months or over of continuous active service during a wartime enlistment which began prior to November 12, 1918, or prior to April 2, 1920, for persons who served with the United States military forces in Russia, or which began on or after November 12, 1918, and before July 2, 1921, where there was prior service between April 6, 1917 and November 11, 1918, or before the termination of hostilities incident to the present war (World War II), as determined by proclamation of the President or by concurrent resolution of Congress, is shown, service connection may be considered as having been established under the World War Veterans' Act, 1924, as amended, reenacted by Public No. 141, 73d Congress, or § 35.011 (a) (1) of this chapter, as amended, for World War II service, for any dental disability except such as were recorded at time of enlistment subject to the provisions of § 2.1107 (a) of this chapter, existed prior thereto, or otherwise rebutted, shown to have existed within a year from date of discharge from those periods of service. If the claimant was or is discharged after July 2, 1921, or after the termination of hostilities incident to the present war (World War II), as determined by proclamation of the President or concurrent resolution of Congress, the one year period for the establishment of such service connection will begin on July 2, 1921, or the date of termination of hostilities incident to the present war (World War II) as determined by proclamation of the President or concurrent resolution of Congress. Service connection will not be considered as having been established when the evidence clearly shows that the disabilities or conditions existed or were recorded at the time of enlistment subject to the provisions of § 2.1107 (a) of this chapter, or originated subsequent to discharge from causes not related to service. [Sec. 1, 28, 48 Stat. 8, 524; 38 U. S. C. 701, 722; 50 Stat. 661, 38 U. S. C. 424a]

§ 2.1107 *Service connection where dental disability is not of compensable*

degree. Determinations relating to the origin or aggravation in active service of dental conditions not of compensable degree where claim is made for treatment will be in accordance with §§ 2.1105, 2.1106 of this chapter and current instructions covering service connection and aggravation under § 35.011 of this chapter, as amended. However, the statutory presumption provided in section 209 of the World War Veterans' Act, 1924, as amended, as reenacted by Public No. 141, 73d Congress, or § 35.011 (a) (2) of this chapter, as amended, as to soundness of condition at time of entrance into active service will not be applicable in cases of dental conditions not of compensable degree. [Sec. 11, 46 Stat. 995, sec. 27, 48 Stat. 524; 38 U. S. C. 471, 471a]

No change in (a) or (b).

§ 2.1109 *Period of presumption.* The one year period of presumption of service connection for a dental disability will begin from the date of discharge, release from active duty, furlough to the reserves, July 2, 1921, or the termination of hostilities incident to the present war (World War II), as determined by proclamation of the President or concurrent resolution of Congress, whichever is the earlier.

DETERMINATIONS OF ACTIVE TUBERCULOSIS

§ 2.1137 *Rating of reactivation in cases of arrested tuberculosis.* In rating tuberculous disabilities to which the statutory award is not applicable, as when the diagnosis for the period of the disability upon which the rating is based is expressed in terms reflecting activity, the rating of the disability for such period shall be made in accordance with the applicable Schedule or Schedules of Disability Ratings, and extensions. If a period of complete arrest is interrupted by activity, the payment for arrested tuberculosis will cover only the period of arrest and will be terminated as of the date of determined reactivation, from which a rating will be made consistent with the physical findings pending re-attainment of complete arrest.

RESTORATION OR GRANT OF BENEFITS FOR CLAIMANTS SUFFERING FROM PARALYSIS, PARESIS, OR BLINDNESS, OR WHO ARE HELPLESS OR BEDRIDDEN DUE TO WILFUL MISCONDUCT

§ 2.1138 *Application of Public Nos. 196 and 866, 76th Congress.* (a) On and after July 19, 1939, the date of enactment of Public No. 196, 76th Congress, and World War I veteran suffering from paralysis, paresis, or blindness, or who is helpless or bedridden, as the result of any disability, and who was in receipt of compensation therefor on March 19, 1933, and on or after October 17, 1940, the date of enactment of Public No. 866, 76th Congress, any World War I veteran suffering from paralysis, paresis, or blindness, or who is helpless or bedridden as the result of any disability may be awarded compensation under the laws and interpretations governing this class of cases prior to the enactment of Public No. 2, 73d Congress, subject to the limitations, except as to wilful misconduct, contained in sections 27 and 28 of Public No. 141, 73d Congress, as amended:

Provided, That compensation authorized under section 26 of Public No. 141, 73d Congress, will not be reduced or discontinued as a result of the application of the enactment: And provided further, That no payment of disability compensation under Public No. 866, 76th Congress, will be made for any period prior to the date of application therefor, which may be informal where there is of record a formal application, Form 526.

(b) In the application of the limitations contained in sections 27 and 28 of Public No. 141, 73d Congress, except as to wilful misconduct, it will be borne in mind that all reasonable doubts will be resolved in favor of the veteran. The delimiting dates of World War I under existing legislation will be applied; for the purposes of Public Nos. 196 and 866, 76th Congress, the ending date of World War I will, therefore, be April 1, 1920, for those who served with the United States military forces in Russia, or July 2, 1921 for those who reenlisted on or after November 12, 1918, and before July 2, 1921, where there was prior service between April 6, 1917 and November 11, 1918. (See § 2.1000 (a) of this chapter.)

(c) The compensation award or disability rating in the case of any World War I veteran restored to the rolls or determinable under Public No. 196, 76th Congress, or granted disability benefits under section 7 of Public No. 866, 76th Congress, will be adjusted at any time upon the happening of a change in any of the contingencies upon which the current status is predicated, such as a change in family relationship, a change in physical condition, etc., as disclosed by competent evidence or a report of physical examination, and the effective date of the adjustment will be in accordance with the applicable regulations. [46 Stat. 1016, 53 Stat. 1067; 38 U. S. C. 11, 11a, 38 U. S. C., Sup. 703b; 50 Stat. 661, 38 U. S. C. Sup. 424a, 58 Stat. 752]

APPLICATION OF RATING SCHEDULE

§ 2.1141 *Use of 1925 and other schedules.* (a) Disability ratings will conform to the 1925 schedule in effect March 19, 1933, known as the Schedule of Disability Ratings, 1925, and Extensions thereto, continued under section 28, Title III, Public No. 141, 73d Congress, and/or the applicable edition or editions of the schedules authorized by § 35.03 of this chapter, pursuant to Public No. 2, 73d Congress, and Extensions, according to the facts in each case. [R. S. 471, sec. 5, 43 Stat. 608, secs. 1, 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 2, 11, 11a, 426, 707; interpret secs. 202, 8, 9, 43 Stat. 618, 1306, 1307, sec. 3, 48 Stat. 9; 38 U. S. C. 473-480, 482-491, 703]

(b) The schedules pursuant to Public No. 2, 73d Congress, apply to disabilities for which service connection is granted or continued under § 35.01 of this chapter, including wartime and peacetime service connections, or entitled to consideration under § 35.013 of this chapter, as amended by § 35.01 of this chapter, and to disabilities considered as service connected under section 31, Title III, Public No. 141, 73d Congress, and section 12, Public No. 866, 76th Congress.

(c) The 1925 Schedule applies to those disabilities for which service connection

is granted or continued as direct or presumptive under sections 27 and 28, Title III, Public No. 141, 73d Congress, as amended by Public No. 344, 74th Congress, and to disabilities service connected under section 31 and section 12, Public No. 866, 76th Congress, under the two latter sections provided there was World War service. For periods on or after March 28, 1934, claims filed on or after March 20, 1933, by veterans who served in the active military or naval service between April 6, 1917, and November 12, 1918, (or prior to April 2, 1920, with the United States military forces in Russia), or prior to July 2, 1921, where there was service on or after November 12, 1918, and before July 2, 1921, and prior service between April 6, 1917, and November 11, 1918, for service-connected diseases or injuries, will be rated under both schedules. [R. S. 471, sec. 5, 43 Stat. 608, secs. 1, 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 2, 11, 11a, 426, 707; interpret secs. 202, 8, 9, 43 Stat. 618, 1306, 1307, sec. 3, 48 Stat. 9; 38 U. S. C. 473-480, 482-491, 703, 54 Stat. 1197, 38 U. S. C. 501a]

No change in (d).

§ 2.1142 *Special action where evaluations provided under rating schedules are considered inadequate or excessive.* (a) Exceptional cases to which the application of a schedule is not understood, or with regard to which evaluation under the applicable schedule pursuant to Public No. 2, 73d Congress is considered inadequate or excessive, may be submitted by the adjudication officer for advisory opinion or for reevaluation to the director, claims service, branch office. He will return the case with appropriate instructions if he finds that provisions of any applicable schedule have not been properly applied or that proper development has not been accomplished, or will forward the case to assistant administrator for claims, attention: director, veterans claims service, central office. Severe disabilities considered total, but for which current procedure does not authorize a total rating, questionable special monthly pension cases, and questionable double total and permanent disability cases will be similarly submitted. Where total disability is claimed and a submission hereunder is contemplated, a Form 8-527, Employment Affidavit, will be obtained and other indicated development of the evidence accomplished prior to the release of the records by the custodial office. The submission in any case comprehended by this regulation will include the case file, a recent medical examination, and definite recommendation from the submitting agency concerning evaluation of every disability, under the applicable schedule or schedules as interpreted by the submitting agency, and concerning schedular changes deemed advisable by reason of the particular situation encountered. However, cases will not be withdrawn from appellate channels for submission under this regulation, except as the board of appeals may join in reference of such cases with their recommendation (§ 35.03 of this chapter).

(b) Rating agencies are authorized to assign total disability ratings under

§§ 35.011 and 35.012 of this chapter as authorized by Extension No. 4, 1933 Rating Schedule and paragraph 16, page 5, 1945 Rating Schedule in cases of veterans under forty years of age when the disability or disabilities are the residuals of actual injury or acute disease episode of a character such as to have produced actual total disability without evidence of regained ability to follow a substantially gainful occupation. When the disability or disabilities are not the residuals of actual injury or acute disease episode the case will be referred to the assistant administrator for claims, attention: director, veterans claims service.

(c) Rating agencies will refer to assistant administrator for claims, attention: director, veterans claims service, all cases of World War II veterans under forty years of age who are considered to be totally or permanently and totally disabled under §§ 35.011, 35.012 and 35.013 of this chapter, because of unemployment under Extension 4, 1933 Rating Schedule and paragraph 16, page 5, 1945 rating schedule.

§ 2.1145 *Use of 1933 or 1945 schedule for remediable conditions.* Ratings, including ratings of total disability are authorized under the applicable schedule pursuant to Public No. 2, 73d Congress, for remediable conditions without regard to permanence, when the conditions were incurred or aggravated in the service. (§ 35.01 of this chapter)

§ 2.1148 *Effective dates of evaluations, 1925 and 1933 schedules in original ratings.* (a) In claims filed prior to July 13, 1943, evaluations under the 1933 Schedule will be effective as of the date of receipt of the application by the Veterans Administration under Title I, Public No. 2, 73d Congress, and regulations issued pursuant thereto, or the date the evidence shows a compensable or pensionable degree of disability to have existed, whichever is the later, but in no event prior to March 20, 1933; except that changed evaluations due to amendment of the rating schedule will be effective from the date of the receipt of the claim (original, reopening or increase), or the date the evidence shows entitlement, whichever is the later, but in no event prior to the effective date of the amendment to the schedule: *Provided however*, that where the claim was in a pending or appellate status as of that date the evaluation will be made effective as of the date of administrative determination (date rating or decision is signed) by the original or appellate rating agency. The effective date of the evaluation will not, however, necessarily control award action.

(b) In claims filed prior to July 13, 1943, evaluations under the 1925 schedule and extensions thereto will be effective as of the date of receipt of the application by the Veterans Administration under Title III, Public No. 141, 73d Congress, or the date the evidence shows entitlement, whichever is the later but in no event prior to March 28, 1934.

Paragraph (c) is added:

(c) Evaluations under sections 16 and 17, Public No. 144, 78th Congress.

(1) Initial original claims filed on or after July 13, 1943, including those in a pending status July 13, 1943, filed within one year from date of discharge:

(i) When payable only under Public No. 144, 78th Congress, the evaluation of disability will be effective as of the day following the date of discharge, date the evidence shows entitlement, or July 13, 1943, whichever is the later.

(ii) When payable under laws other than Public No. 144, 78th Congress, the evaluation will be effective as of the date following date of discharge, date evidence shows entitlement, or July 13, 1943, whichever is the later, or if claim was pending as of July 13, 1943, from date of receipt of claim or date evidence shows entitlement, whichever is the later.

(2) Filed more than one year after date of discharge:

(i) When payable only under Public No. 144, 78th Congress, the evaluation will be effective from date of receipt of claim, except when claim was in a pending status as of July 13, 1943, in which event evaluation will be effective as of July 13, 1943.

(ii) When payable under laws other than Public No. 144, 78th Congress, the effective date of evaluation will be the date of receipt of claim or date the evidence shows entitlement, whichever is the later.

(iii) When service connection, World War II, is granted under § 35.011 (a) (3), of this chapter, the effective date of evaluation of disability will be determined as above outlined, except when claim is filed more than a year from date of discharge, the effective date of the evaluation of disability will be shown as of a date within the year from date of discharge.

(3) Reviewed or reopened disallowed claims:

(i) When reviewed on motion of the Veterans Administration and compensation is payable only under Public No. 144, 78th Congress, the evaluation will be effective the date the rating is made.

(ii) When payable only under Public No. 144, 78th Congress, and claim to reopen under Public No. 144, 78th Congress, was filed within a year from the date of discharge, the evaluation will be effective from July 13, 1943, if otherwise in order. If claim to reopen was filed more than a year after date of discharge, the evaluation will be effective from the date of receipt of claim to reopen.

(iii) When payable under laws other than Public No. 144, 78th Congress, the evaluation will be determined in accordance with paragraph (a) or (b) of this section.

§ 2.1149 *Effective dates of evaluations, 1925 and 1933 schedules, in claims for increase.* (a) Evaluations under the 1933 schedule and extensions and the 1925 schedule and extensions thereto, in claims for increase, will be effective from the date of the receipt of the evidence, i. e., affidavits of physicians or other evidence submitted by the veteran showing an additional disability, or an increase in the condition for which he is receiving compensation or pension; or the date of the official report of physical examination made in a Veterans Administration

hospital, or by a designated examiner in connection with compensation, pension, or treatment pursuant to proper authority. The effective date of the evaluation will not, however, necessarily control award action (see § 3.1216 of this chapter).

Paragraph (b) is added:

(b) *Increase in evaluation under sections 16 and 17, Public No. 144, 78th Congress.* (1) When entitlement to increase is due solely to Public No. 144, 78th Congress, the effective date of evaluation will be determined as provided in § 2.1148 (c) of this chapter).

(2) When due to increase in disability, the effective date of evaluation will be in accordance with paragraph (a).

§ 2.1155 *Combined ratings.* (a) When there are two or more ratable disabilities, combined ratings, following the tables and rules prescribed in the appropriate schedule, or schedules, are authorized.

(b) Under § 35.014 of this chapter, a combined rating under the applicable schedule pursuant to Public No. 2, 73d Congress, is authorized as between ratings for one or more disabilities resulting from wartime service and ratings for one or more disabilities resulting from peacetime service.

No change in (c).

(d) Pursuant to section 202 (15), World War Veterans' Act, 1924, as amended, reenacted by Public No. 141, 73d Congress, a veteran of World War I, as defined by Public No. 141, 73d Congress, suffering from a disability of compensable degree connected with World War I service, who is entitled to compensation for a service-connected disability by reason of other military or naval service, is entitled to the evaluation and combination of his compensable service-connected disabilities in accordance with the Schedule of Disability Ratings, 1925, and Extensions thereto. Therefore, when a World War I veteran served in other war or peacetime service, it is necessary to evaluate his disabilities incident to such other service under the Schedule of Disability Ratings, 1925, and the applicable schedule pursuant to Public No. 2, 73d Congress.

No change in (e) or (f).

§ 2.1158 *Rating of noncompensable disabilities under 1925 and 1933 schedules.* No change in (a).

(b) For the purposes of the 1933 and 1945 schedules, a disability under any diagnostic classification which does not meet the minimum rating schedule standard under that classification will be rated as no percent, except for purposes of Civil Service preference, in which event an evaluation of less than ten percent may be made.

§ 2.1159 *Rating of disabilities aggravated by active service.* (a) In cases involving aggravation by active service, the rating will reflect only the degree of disability over and above the degree existing at the time of entrance into the active service, whether the particular condition was noted at the time of entrance into the active service, or is determined upon the evidence of record to have existed at that time. It is necessary, therefore, in all cases of this character to deduct from the present degree of disability the de-

gree, if ascertainable, of the disability existing at the time of entrance into active service, in terms of the applicable schedule, except that if the disability is total (100 percent) no deduction will be made. The resulting difference will be recorded on the rating sheet. If the degree of disability at the time of entrance into the service is not ascertainable in terms of the schedules, no deduction will be made.

No change in (b) or (c).

§ 2.1165 *Permanent total disability ratings under the World War Veterans' Act, 1924, as amended, and the schedule of disability ratings, 1925, as reinstated by Section 28, Public No. 141, 73d Congress.* Disability from an injury or disease will be rated as permanent total under the following conditions:

No change in (a) or (b) (1).

(2) Permanent total ratings based on single disabilities for which the schedule of disability ratings, 1925, provides specific, lesser ratings, are prohibited. The fact that for most diseases the 1925 schedule permitted a flexible range of ratings extending to total will not be interpreted as authorizing the making or continuance of total disability ratings in the absence of actual total disability, substantially as outlined in the schedules under Public No. 2, 73d Congress, as amended, except for the reference therein to specific ratings of these schedules. The provisions of regulations and schedules under the World War Veterans' Act, 1924, as amended, permitting ratings of temporary total disability on account of hospitalization or home treatment, are not effective in ratings under Public No. 141, 73d Congress.

§ 2.1166 *Total disability ratings under Public No. 2, 73d Congress, and the 1933 and 1945 Schedule.* No change in (a) or (b).

(c) Other provisions relative to total disability ratings are contained in the applicable schedules.

No change in (d).

(e) With actual progressive deterioration of the vision, so that the disabled person becomes blind in both eyes, or so nearly blind as to qualify under the applicable schedule pursuant to Public No. 2, 73d Congress, a permanent and total rating will not be withheld, notwithstanding that the underlying diagnosis is a congenital defect: *Provided*, The other requirements for the benefit are met. It is to be borne in mind that the essential requirement in this regard is actual reduction of the vision, so that the person, formerly able to see well, or fairly well, has become, as a result of physical changes occupationally blind. [Sec. 20, 48 Stat. 309; 38 U. S. C. 722]

§ 2.1168 *Ratings of total disability on history.* In the case of disabilities which have undergone some recent improvement, a rating of total disability may be made under Public No. 2, 73d Congress, without regard to the rating schedule: *Provided*, (a) That the disability must in the past have been of sufficient severity or warrant a total disability, (b) that it must have required extended, continuous or intermittent hospitalization, or have produced total industrial incapacity for

at least one year, or be subject to recurring, severe, frequent or prolonged exacerbations, and (c) that it must be the opinion of the rating agency that despite the recent improvement of the physical condition, the veteran will be unable to effect an adjustment into a substantially gainful occupation. Due consideration will be given to the frequency and duration of totally incapacitating exacerbations since incurrence of the original disease or injury, and to periods of hospitalization for treatment, in determining whether the average person could have reestablished himself in a substantially gainful occupation.

§ 2.1172 *Stabilization of disability evaluations.* No change in (a) or (b).

(c) The above provisions apply to permanent ratings, or to those which on account of their long continuance at the same level (five years or more) are on a parity with permanent ratings. Such provisions of regulations and procedure are not for application in the cases of veterans so recently discharged from the service that their disability has not been stabilized. Accordingly, in these new cases and particularly when temporary disability, which is likely to improve, is under consideration reexamination disclosing improvement of the physical or mental condition will warrant reduction of the rating. [48 Stat. 9; 38 U. S. C. 707]

PART 3—ADJUDICATION: DISALLOWANCE AND AWARDS

§ 3.1212 *Effective dates of awards of disability compensation.* (a) Initial awards of disability compensation will be payable in accordance with the provisions of § 35.021 of this chapter (a) as amended by section 17, Public No. 144, 78th Congress: *Provided* an appropriate claim therefor has been filed and, if incomplete, the necessary evidence to complete such claim is submitted within one year from the date of request therefor: *Provided, however*, That no award of disability compensation under Public No. 2, 73d Congress, will be effective prior to March 20, 1933, no compensation under § 35.012 of this chapter, as amended by Public No. 159, 75th Congress, Act of June 23, 1937, shall be effective prior to June 23, 1937: *And provided further*, That no award of disability compensation under Title III, Public No. 141, 73d Congress, will be effective prior to March 28, 1934.

(b) Where, upon reconsideration by a rating agency or original jurisdiction in accordance with § 3.1201 of this chapter, a favorable decision is rendered the effective date of an award for monetary benefits will be the date of receipt by the Veterans' Administration of the application for reconsideration, or the date of receipt of the evidence which establishes entitlement, whichever is the later.

Paragraph (c) is added:

(c) (1) Initial original claims filed on or after July 13, 1943, including those in a pending status July 13, 1943, filed within one year from date of discharge:

(i) When payable only under Public No. 144, 78th Congress, the award of disability compensation will be effective as of the day following the date of dis-

charge, date the evidence shows entitlement, or July 13, 1943, whichever is the later.

(ii) When payable under laws other than Public No. 144, 78th Congress, the award, disability, will be effective as of the date following date of discharge, date evidence shows entitlement, or July 13, 1943, whichever is the later, or if claim was pending as of July 13, 1943, from date of receipt of claim or date evidence shows entitlement, whichever is the later.

(2) Filed more than one year after date of discharge:

(i) When payable only under Public No. 144, 78th Congress, the award will be effective from date of receipt of claim, except when claim was in a pending status as of July 13, 1943, in which event award will be effective as of July 13, 1943.

(ii) When payable under laws other than Public No. 144, 78th Congress, the effective date of the award of disability compensation will be the date of receipt of claim, or date the evidence shows entitlement, whichever is the later.

(3) Reviewed or reopened disallowed claims:

(i) When reviewed on motion of the Veterans' Administration and compensation is payable only under Public No. 144, 78th Congress, the award will be effective the first day of the calendar month next succeeding the date of the approval of the award.

(ii) When payable only under Public No. 144, 78th Congress, and claim to reopen under Public No. 144, 78th Congress, was filed within a year from the date of discharge, the award will be effective from July 13, 1943, if otherwise in order. If claim to reopen was filed more than a year after date of discharge, the award will be effective from the date of receipt of claim to reopen.

(iii) When payable under laws other than Public No. 144, 78th Congress, the effective date of the award will be determined in accordance with paragraph (a) or (b) of this section. [Sec. 1, 48 Stat. 8, 38 U. S. C. 701; 57 Stat. 554-560; 38 U. S. C. Ch. 12, note]

§ 3.1214 *Effective dates of awards of increased disability compensation.* The effective date of an award of increased disability compensation will be in accordance with the provisions of § 35.021 (b) of this chapter.

(a) *By reason of dependents.* Increased disability compensation payable by reason of dependents under Title III, Public No. 141, 73d Congress, will be effective as of the date of the receipt of the claim or the date of receipt of the evidence which establishes entitlement, whichever is the later, subject to the provisions of § 3.1255 (c) of this chapter in cases of institutionalization, but in no event prior to March 28, 1934. The evidence necessary to complete the application, for dependency allowance must be submitted within one year from the date of request for such evidence; otherwise the allowance for the dependents may not be paid by virtue of that application.

(b) *By reason of increased disability.* (1) The effective date of an award based upon an increased disability rating un-

der an amendment to the rating schedule or governing regulation, as the case may require, will be the date of receipt of the claim (original, reopening or increased) by the Veterans' Administration, or the date of receipt of the evidence which establishes the existence of the increased disability, whichever is the later, but in no event prior to the date of the amendment or regulation involved: *Provided, however, That where the claim was in a pending or appellate status as of that date the effective date of the award will be the date of administrative determination by the original or appellate rating agency.*

(2) The effective date of an award based upon a total disability rating rendered solely by the application of § 2.1166 (e) of this chapter, will be the date of receipt of the claim (original, reopening or increased) by the Veterans' Administration, or the date of receipt of the evidence which establishes the existence of total disability, whichever is the later, but in no event prior to August 26, 1936: *Provided, however, That where the claim was in a pending or appellate status as of August 26, 1936, the effective date of the award will be the date of administrative determination by the original or appellate rating agency.*

No change in (c).

(Secs. 9, 20, 28, 48 Stat. 10, 309, 524; 38 U. S. C. 709, 722; 57 Stat. 554-560; 38 U. S. C. Ch. 12, note)

(R. S. 471; sec. 5, 43 Stat. 608; secs. 1, 2, 46 Stat. 1016; sec. 7, 48 Stat. 9; 38 U. S. C. 2, 11, 11a, 426, 707; interpret secs. 202, 8, 9, 43 Stat. 618, 1306, 1307; sec. 3, 48 Stat. 9; 38 U. S. C. 473-480, 482-491, 703)

[SEAL]

OMAR N. BRADLEY,
General, U. S. Army,
Administrator.

SEPTEMBER 17, 1946.

[F. R. Doc. 46-17327; Filed, Sept. 25, 1946; 8:45 a. m.]

PART 35—VETERANS REGULATIONS

ADJUSTMENT OF SPECIAL MONTHLY COMPENSATION AND REDUCTIONS DURING HOSPITALIZATION

For the purpose of Public No. 182, 79th Congress, the following supplementary instructions are issued:

1. *Additional special monthly compensation of \$35 (or \$26.25).* Attention is directed to paragraph 6 of instructions under the cited Act, dated October 8, 1945, (a) When the special monthly compensation of \$35 (or \$26.25) is authorized in addition to the rates of §§ 35.011 and 35.012 (b) (1) to (10) only one allowance of \$35 (or \$26.25) in addition to the basic rate may be authorized; the additional allowance may be based upon an anatomical loss or loss of use included in the requirements for the basic rate.

(b) When the same special monthly compensation is authorized in addition to rates of §§ 35.011 and 35.012 (b) (12) to (14) the allowance is payable for each such anatomical loss or loss of use, or blindness of one eye having only light perception, provided, however, that the

loss, loss of use, or blindness must exist in addition to the requirements for the basic rate under §§ 35.011 and 35.012 (b) (12), (13) or (14) (not to exceed \$300 (or \$225) monthly).

2. *Helplessness.* The rate of \$235 provided under §§ 35.011 and 35.012 (b) (13) on account of helplessness requiring regular aid and attendance applies only in cases entitled on account of blindness of both eyes. A veteran having suffered the loss, or loss of use of both hands, feet, or one hand and one foot, and having no other compensable disability, will be rated according to the level of amputation or loss of use; entitlement to a higher rate on account of helplessness requiring regular aid and attendance must be based on such need resulting from pathology other than the anatomical loss or loss of use of two extremities: when so based, i. e., upon pathology other than the anatomical loss or loss of use of two extremities, the rate will uniformly be \$300 (or \$225) monthly.

3. *Rating of transverse myelitis or paraplegic cases.* Transverse myelitis or paraplegia involving paralysis of both lower extremities, together with loss of anal and bladder sphincter control, as a result of severe traumatic lesions of the spinal cord, will entitle to a uniform rate of \$300 (or \$225) per month, without deduction on account of being furnished aid and attendance in kind.

4. *Rating of binocular blindness of different degrees.* (a) With blindness of one eye with 5/200 visual acuity or less, and blindness of the other eye having only light perception, the rate will be \$217.50 (or \$163.13).

(b) With blindness of one eye having only light perception, and anatomical loss, or blindness, having no light perception accompanied by phthisis bulbi, eversion, or other obvious deformity or disfigurement, of the other eye, the rate will be \$250 (or \$187.50).

(c) With blindness of one eye having 5/200 visual acuity or less, and anatomical loss, or blindness, having no light-perception accompanied by phthisis bulbi, eversion, or other obvious deformity or disfigurement, of the other eye, the rate will be \$235 (or \$176.25).

5. *Rating of blindness of both eyes having no light perception.* The rate under §§ 35.011 and 35.012 (b) (14), \$265 (or \$198.75) per month, will be assigned when there is a total blindness of both eyes having no light perception accompanied by phthisis bulbi, eversion or other obvious deformity or disfigurement.

6. *Entitlement under §§ 35.011 and 35.012 (b) (15).* Entitlement to the maximum rate of \$300 (or \$225) per month on account of entitlement to two of the rates provided in one or more of §§ 35.011 and 35.012 (b) (12) to (14), inclusive, must be based upon separate and distinct disabilities so entitling.

If the loss, or loss of use of two extremities or being permanently bedridden renders the person helpless, increase to \$300 (or \$225) per month is not in order on account of this helplessness. Under no circumstances will the combination of "being permanently bedridden" and "being so helpless as to require regular aid and attendance" with-

out separate and distinct anatomical loss, or loss of use of two extremities, or blindness, be taken as entitling to \$300 (or \$225) per month. The fact, however, that two separate and distinct entitling disabilities, such as anatomical loss or loss of use of both hands and of both feet result from a common etiological agent, for example, one injury, or rheumatoid arthritis, will not preclude entitlement to the maximum rate.

7. *Reductions during hospitalization.*

(a) Due to the different additional amount to which veterans may be entitled under Public Law 182, 79th Congress, as amended, on account of helplessness requiring regular aid and attendance, and consequent different amounts of reductions when being furnished regular aid and attendance in kind, when institutionalized, married, and having dependents, it is necessary to give careful attention to the exact basis of entitlement.

(b) The general rule as to reductions of special monthly pension of \$200 (or \$112.50) per month or more based upon the need for regular aid and attendance when the veteran, married or having dependents, is being furnished nursing or attendant's service while receiving hospital treatment, institutional or domiciliary care by the United States or a political subdivision thereof, is that reduction will be in the additional amount based upon the need for regular aid or attendance.

(c) In determining the rate of special monthly pension first consideration will be given to anatomical loss or loss of use of extremities, blindness, having 5/200 visual acuity or less, anatomical loss of both eyes, or being permanently bedridden, and if, based on these considerations, there is entitlement to one of the rates under §§ 35.011 and 35.012 (b) (12) (13) or (14), or to two of these rates entitling under §§ 35.011 and 35.012 (b) (15), no reduction is in order on account of being furnished nursing or attendant's service. If there is such entitlement based on these enumerated conditions, it is immaterial whether the person is also so helpless as to be in need of regular aid and attendance, and no reduction is in order on this account.

(d) It is only when entitlement to the rate under §§ 35.011 and 35.012 (b) (12) of this chapter singly, or with another entitlement to the rate under §§ 35.011 and 35.012 (b) (12) (13) or (14) so as to qualify under §§ 35.011 and 35.012 (b) (15), is based solely upon being helpless as to be in need of regular aid and attendance, i. e., in the absence of other entitling conditions, that reduction on this account is in order.

(e) The reduction in the case of a veteran entitled only under §§ 35.011 and 35.012 (b) (12) on account of helplessness will be in the amount of \$85 (or \$63.75).

(f) When any veteran is entitled to one of the rates under §§ 35.011 and 35.012 (b) (12) (13) or (14) by reason of anatomical losses or losses of use of extremities, blindness, having 5/200 visual acuity or less, or anatomical loss of both eyes, and is also entitled to another rate under §§ 35.011 and 35.012 (b) (12) on account of being so helpless as to be in need of regular aid and attendance,

no condition being considered twice in the determination, the rate of pension while not being maintained and furnished aid and attendance in kind will be \$300 (or \$225) per month. This amount is subject to reduction to \$235 (or \$176.25) or \$265 (or \$198.75) per month according to which the veteran is entitled apart from helplessness. No case will arise in which reduction from \$300 to \$200 will be in order, for the reason that the condition entitling to the second rate on account of rendering the person helpless will necessarily be totally disabling, thus entitling, if the basic entitlement is under §§ 35.011 and 35.012 (b) (12) or (13), to one of the rates specified in the preceding sentence. Note that if the basic entitlement is under §§ 35.011 and 35.012 (b) (14) the additional disability rendering the person helpless is necessarily ratable at 100%; consequently the rate of pension will be \$300 (or \$225) per month whether or not being furnished aid and attendance in kind.

(g) In the special case of entitlement under §§ 35.011 and 35.012 (b) (13) only on account of blindness of both eyes, rendering him so helpless as to be in need of regular aid and attendance, the reduction will be \$35 (or \$26.25) per month.

(h) Additional pension of \$35 (or \$26.25) per month under §§ 35.011 and 35.012 (b) (11), or on account of 50% disability or 100% disability in excess of the conditions entitling under §§ 35.011 and 35.012 (b) (12) (13) or (14) is not subject to reduction on account of being furnished nursing or attendant's services.

8. *Complete citation of entitling disabilities.* Each rating sheet evidencing entitlement to special monthly pension will cite completely all the disabilities constituting the basis of entitlement with proper diagnosis.

9. *Review.* Appropriate action will be taken to correct awards of special monthly pension heretofore made under instructions issued on October 8, 1945, according to the preceding paragraphs. Increases in order under paragraphs 1, 2, 3, 4, except as to blindness, having no light perception, and 7, of this instruction will be effective October 1, 1945 or date of discharge or claims subsequent thereto, or according to the date of hospital treatment, institutional or domiciliary care. Increases in order under paragraphs 4 and 5, as to blindness having no light perception, will be effective from date of this instruction or date subsequent thereto otherwise in order. Reductions on account of previous improper application of the law corrected in accordance herewith will be effective as of the date of last payment.

10. *Increased rates.* All the rates specified above for wartime and peacetime service-connected disabilities are subject to increases authorized under Public Laws 662 and 659, approved August 8, 1946, respectively, in accordance with instructions pursuant to the cited Acts. (Public No. 182, 79th Cong.)

[SEAL]

OMAR N. BRADLEY,
General, U. S. Army,
Administrator.

SEPTEMBER 20, 1946.

[F. R. Doc. 46-17326; Filed, Sept. 25, 1946; 8:45 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 14—ELECTRIC RAILWAYS: UNIFORM SYSTEM OF ACCOUNTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 29th day of March A. D. 1946.

The matter of a uniform system of accounts for electric railways being under consideration,

And it appearing, that by order dated May 28, 1914, the "Uniform System of Accounts for Electric Railways, Issue of 1914," was prescribed;

And it further appearing, that since the effective date of said order of May 28, 1914, various supplemental orders have been issued in which changes were made in certain provisions thereof;

And it further appearing, that because of the many modifications and amendments it is desirable and appropriate to consolidate and publish the original order and the several amendments thereto in revised form;

It is ordered:

1. That the accounting regulations prescribed by the said order of May 28, 1914, as modified and amended by supplemental orders hereby referred to and made a part hereof,¹ be, and they are hereby, published in revised form to be known as the "Uniform System of Accounts for Electric Railways, Issue of 1947."

2. That all carriers by railroad independently operated as electric-lines subject to the Interstate Commerce Act, and every trustee, receiver, executor, administrator, or assignee of any such carrier, be, and they are hereby, required to comply with the "Uniform System of Accounts for Electric Railways, Issue of 1947."

3. That notice of this order be given to all electric railways and to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 46-17318; Filed, Sept. 25, 1946; 8:46 a. m.]

Notices

CIVIL AERONAUTICS BOARD.

[Docket No. 250, et. al.]

WESTERN AIR LINES, INC.; WEST COAST CASE

NOTICE OF REARGUMENT

In the matter of that portion of the above-entitled proceeding involving the application of Western Air Lines, Inc., in Docket No. 941 insofar as such application requests authority to engage in

¹ Filed as part of the original document.

air transportation between San Francisco, Calif., and Seattle, Wash.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, that oral reargument in the above matter is assigned to be held on October 7, 1946, at 10 a. m., eastern standard time, in Room 5044 Commerce Bldg., 14th Street and Constitution Ave. NW., Washington, D. C., before the Board.

Dated Washington, D. C., September 20, 1946.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-17314; Filed, Sept. 25, 1946; 9:02 a. m.]

[Docket No. 1642]

AIR COMMUTING, INC.

NOTICE OF ORAL ARGUMENT

In the matter of the application of Air Commuting, Inc., for a permanent or temporary certificate of public convenience and necessity authorizing scheduled air service between certain points in the New York City area under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, that oral argument in the above-entitled proceeding is assigned to be held on October 3, 1946, 10 a. m., eastern standard time, in Room 5044 Commerce Bldg., 14th Street and Constitution Ave. NW., Washington, D. C., before the Board.

Dated Washington, D. C., September 20, 1946.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-17313; Filed, Sept. 25, 1946; 9:02 a. m.]

[Docket No. 2168]

PENNSYLVANIA-CENTRAL AIRLINES CORP.; PCA-NORTHEAST MERGER CASE

NOTICE OF ORAL ARGUMENT

In the matter of the application of Pennsylvania-Central Airlines Corporation under sections 401 and 408 of the Civil Aeronautics Act of 1938, as amended, for approval of proposed merger of Northeast Airlines, Inc., with Pennsylvania-Central Airlines Corporation and of the transfer of the certificates of public convenience and necessity of Northeast Airlines, Inc., to Pennsylvania-Central Airlines Corporation.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401, 408, and 1001 of said Act, that oral argument in the above-entitled proceeding is assigned to be held on October 21, 1946, 10 a. m., eastern standard time, in Room 5044 Commerce Bldg., 14th Street and Constitution Ave. NW., Washington, D. C., before the Board.

Dated Washington, D. C., September 23, 1946.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-17312; Filed, Sept. 25, 1946;
9:03 a. m.]

[Docket No. 2525]

NORWEGIAN AIRLINES, INC.

NOTICE OF HEARING

In the matter of the application of Norwegian Airlines, Inc., for a foreign air carrier permit under section 402 of the Civil Aeronautics Act of 1938, as amended, authorizing air transportation between the terminal points Stockholm, Sweden, and/or Oslo, Norway, and Copenhagen, Denmark, and between New York and Chicago via certain intermediate points.

Notice is hereby given that the above-entitled matter is assigned to be heard on September 26, 1946, 10 a. m., eastern standard time, in the Foyer of the Commerce Department Auditorium, before Examiner Richard A. Walsh.

Dated at Washington, D. C., September 20, 1946.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-17315; Filed, Sept. 25, 1946;
9:02 a. m.]

CIVILIAN PRODUCTION ADMINISTRATION.

[C-431]

STAAB BATTERY MFG. CO.

CONSENT ORDER

Paul J. Staab, doing business as Staab Battery Manufacturing Company, Springfield, Illinois, is engaged in the manufacture of storage batteries of the automotive SLI type. He is charged with having during the first, third and fourth quarters of 1945 and the first quarter of 1946 used or caused to be used in the manufacture of batteries a substantial amount of lead in excess of his quota as established by General Preference Order M-38. Paul J. Staab has admitted such excess usage and consented to the issuance of this order.

Wherefore, upon the agreement and consent of Paul J. Staab, the Regional Compliance Manager and the Attorney and upon the approval of the Compliance Commissioner; *It is hereby ordered, That:*

(a) Paul J. Staab shall during the fourth quarter of 1946 and the first, second and third quarters of 1947 reduce his use of lead in the manufacture of automotive SLI Type storage batteries by 17% below the amount of lead he would otherwise be entitled to use during each of these quarters under the provisions of General Preference Order M-38.

(b) Nothing contained in this order shall be deemed to relieve Paul J. Staab from any restriction, prohibition or provision contained in any other order or

regulation of the Civilian Production Administration except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Paul J. Staab, doing business as Staab Battery Manufacturing Company, or under any other name, his successors and assigns or persons acting on their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 24th day of September 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-17482; Filed, Sept. 24, 1946;
4:21 p. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-210, G-661, G-688, G-693]

MICHIGAN CONSOLIDATED GAS CO., ET AL.

ORDER POSTPONING HEARING

SEPTEMBER 20, 1946.

Michigan Consolidated Gas Company v. Panhandle Eastern Pipe Line Company and Michigan Gas Transmission Corporation, Docket No. G-210; City of Detroit, a Municipal Corporation, and County of Wayne, a Municipal Corporation, both of the State of Michigan v. Panhandle Eastern Pipe Line Company and Michigan Consolidated Gas Company, Docket No. G-661; In the Matter of Panhandle Eastern Pipe Line Company and Michigan Consolidated Gas Company, Docket No. G-688; In the Matter of Panhandle Eastern Pipe Line Company, Docket No. G-693.

It appearing to the Commission that:

(a) On May 10, 1946, the Commission ordered that a public hearing in the above-entitled matters be held commencing on August 26, 1946, at 10:00 a. m. (EST), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C.

(b) On August 2, 1946, the Commission postponed the hearing fixed for August 26, 1946, to September 30, 1946.

(c) On August 8, 1946, Michigan Consolidated Gas Company filed a withdrawal of its complaint in the proceeding in Docket No. G-210; on September 16, 1946, Panhandle Eastern Pipe Line Company filed a withdrawal of its application for a certificate of public convenience and necessity in Docket No. G-693, a motion to dismiss the joint petition of the City of Detroit, and County of Wayne, Michigan, in Docket No. G-661 and a motion requesting an order to discharge the order to show cause entered by the Commission on December 18, 1945, and to terminate the proceedings in Docket No. G-688.

(d) No response having been received with respect to the motions referred to in paragraph (c) above and the time for the filing of such responses not having expired, good cause exists for postponing the date of hearing as hereinafter provided.

The Commission orders that: The public hearing in the above-entitled matters is hereby postponed to November 25, 1946, commencing at 10:00 a. m. (EST), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

Issued September 23, 1946.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 46-17292; Filed, Sept. 25, 1946;
9:02 a. m.]

[Docket No. G-781]

COLORADO INTERSTATE GAS CO.

NOTICE OF APPLICATION

SEPTEMBER 19, 1946.

Notice is hereby given that on September 11, 1946, an application was filed with the Federal Power Commission by Colorado Interstate Gas Company (Applicant, a Delaware corporation, having its principal place of business in Colorado Springs, Colorado, and authorized to do business in the States of New Mexico and Colorado, for a certificate of public convenience and necessity pursuant to Section 7 of the Natural Gas Act, as amended, to authorize Applicant to construct and operate certain natural gas facilities, all subject to the jurisdiction of the Federal Power Commission, as more particularly described hereafter.

The facilities which Applicant proposes to construct and operate are described as follows:

(a) A 6-inch welded pipe line commencing at a point in Fremont County, Colorado, at a point of connection with Applicant's existing 8-inch Portland lateral line (said Portland lateral extending from Applicant's 20-inch main transmission line in Pueblo County, Colorado, in a westerly direction to the plant of the Ideal Cement Company, located near Portland, Colorado), thence in a north-westerly direction for a distance of approximately fourteen (14) miles, to a point at or near the east city limits of Canon City, Colorado.

(b) A suitable metering and regulating station to be constructed at the terminus of the proposed 6-inch line, such metering and regulating station to be equipped with the necessary valves, piping, metering and regulating equipment to regulate, control and measure the volumes of natural gas to be delivered to The Canon Gas Service Company.

Applicant recites that the 6-inch pipe line and other construction described above will constitute an extension to Applicant's existing lateral lines which are a part of its natural gas transmission system. The service which will be rendered thereby will consist of delivering and supplying the entire natural gas requirements of The Canon Gas Service Company for resale to its domestic, commercial and industrial customers in Canon City, Colorado, and environs.

It is stated in the application that this will constitute a new customer for Applicant which heretofore has not utilized natural gas. This customer is located in the service territory of Applicant, and no

other natural gas pipe line is located so as to make the proposed service feasible from any other source.

Applicant states that the city of Canon City prior to August 1945, had been served manufactured gas. Following a reconditioning of the distribution system, The Canon Gas Service Company began the distribution of propane gas. Applicant was asked to supply natural gas for Canon City and its environs. Study of the situation resulted in Applicant making a proposal to the effect that it would construct the necessary lateral etc. if the distributing company secured the required franchise. The city of Canon City on April 1, 1946, granted the franchise which was then submitted to and approved by the voters at a referendum held on April 30, 1946.

Based on estimates furnished by The Canon Gas Service Company, Applicant estimates that for the first year of operation the total annual sales through the proposed facilities to The Canon Gas Service Company will be 80,700 Mcf, for the second year 228,300 Mcf, for the third year 255,500 Mcf, for the fourth year 279,200 Mcf, and for the fifth year 295,000 Mcf. The peak day sales for the first year of operation are estimated to be 330 Mcf; for the second year 710 Mcf; for the third year 990 Mcf; for the fourth year 1,170 Mcf; and for the fifth year 1,280 Mcf. All volumes are given on a 14.65# pressure base.

Applicant states that it desires to sell natural gas to The Canon Gas Service Company at the rates contained in its rate schedules G-1, I-1 and I-2 as filed with the Federal Power Commission in compliance with the Commission's order.

The estimated over-all cost of the project is approximately \$152,000, and Applicant states the entire cost will be financed from Applicant's cash resources.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of the Commission's Rules of Practice and Procedure, and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of Colorado Interstate Gas Company should file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of publication of this notice in the FEDERAL REGISTER, a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 46-17294; Filed, Sept. 25, 1946;
9:11 a. m.]

[Docket No. G-782]

NATURAL GAS PIPE LINE CO. OF AMERICA
NOTICE OF APPLICATION

SEPTEMBER 19, 1946.

Notice is hereby given that on September 12, 1946, an application was filed

with the Federal Power Commission by Natural Gas Pipe Line Company of America (hereinafter referred to as "Applicant"), a Delaware Corporation having its principal offices in the City of Chicago, Illinois, and authorized to do business in the States of Oklahoma, Kansas, Nebraska, Iowa, and Illinois, for a certificate of public convenience and necessity pursuant to Section 7 of the Natural Gas Act, as amended, to authorize Applicant to construct and operate certain natural gas pipe-line facilities, subject to the jurisdiction of the Federal Power Commission, all of which said facilities are hereinafter more fully described.

Applicant seeks authorization to construct and operate the following facilities:

(a) A pipe line 2 inches in diameter extending from a connection with Applicant's present 18-inch pipe line at a point in the Southwest Quarter of the Northwest Quarter of Section 28, Township 72 North, Range 43 West, Mills County, Iowa, southwardly approximately 75 feet to a regulating and metering station to be there constructed, and including such station and all necessary appurtenances.

Applicant proposes, by means of the facilities described above, to sell natural gas to the Iowa Alfalfa Company, a corporation, to be utilized by said Iowa Alfalfa Company solely in the processing of alfalfa in its plant located in said Mills County, Iowa, and not to be resold by it. The application recites that the estimated annual sales of natural gas expected to be made through use of the proposed facilities for the first three years of operation will be 45,400, 77,800 and 77,800 Mcf, respectively. Applicant estimates the total over-all cost of construction of the facilities proposed will be \$6,581, and expects to be in a position to commence deliveries of natural gas to said Iowa Alfalfa Company upon completion of construction of its alfalfa dehydration plant which it is contemplated will be ready for operation by March 1, 1947.

Any interested state commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of the Commission's rules of practice and procedure, and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of Natural Gas Pipe Line Company of America should file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of the publication of this notice in the FEDERAL REGISTER, a petition or protest in accordance with the Commission's rules of practice and procedure.

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 46-17266; Filed, Sept. 25, 1946;
9:00 a. m.]

[Docket No. IT-6007]

FLORIDA POWER CORP.

NOTICE OF AMENDMENT TO APPLICATION FOR
AUTHORIZATION OF THE ISSUANCE OF
SECURITIES

September 23, 1946.

Notice is hereby given that on September 19, 1946, amendment No. 1 to the Application for Authorization of the Issuance of Securities, filed September 3, 1946, was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Florida Power Corp. ("Applicant"), a corporation organized under the laws of the State of Florida and doing business in said State, with its principal business office at St. Petersburg, Florida, seeking an order authorizing the issuance and sale of \$4,000,000 of new First Mortgage Bonds, to be dated _____, 1946 and to mature _____, 1947 at an interest rate, redemption prices and other terms to be determined by the Board of Directors. The new First Mortgage Bonds will be issued under a supplement to, and will be secured by, the Indenture dated as of January 1, 1944, securing the outstanding \$16,500,000 First Mortgage Bonds, 3½% Series due 1974. The new First Mortgage Bonds will be sold privately to one or more insurance companies at competitive bidding and no under-writing fees will be involved; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 8th day of October 1946, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 46-17293; Filed, Sept. 25, 1946;
9:11 a. m.]

RULES OF PRACTICE AND PROCEDURE

NOTICE OF APPLICATION

SEPTEMBER 20, 1946.

The Commission's Rules of Practice and Procedure prescribed by Order No. 132 (11 F. R. 177A-496) effective September 11, 1946, apply to pleadings and other papers filed in proceedings before the Commission initiated on or after September 11, 1946.

It is desired that in so far as possible the requirements of the new rules with regard to form, service, and number of copies be followed hereafter in cases initiated prior to September 11, 1946.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 46-17267; Filed, Sept. 25, 1946;
9:00 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 613]

UNLOADING OF PREFABRICATED HOUSES AT
LOGANSPOUT, IND.

At a session of the Interstate Commerce Commission, Division 3, held at its

office in Washington, D. C., on the 20th day of September A. D. 1946.

It appearing, that 3 cars containing prefabricated houses at Logansport, Indiana, on The Pennsylvania Railroad Company, shipped by Williamson, Inc., Peshtigo, Wisconsin, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action; It is ordered, that:

(a) *Prefabricated houses at Logansport, Indiana, be unloaded.* The Pennsylvania Railroad Company, its agents or employees, shall unload immediately the following cars, containing prefabricated houses, now on hand at Logansport, Indiana, consigned shippers order, notify J. J. Novak, 224 South Third Street, Logansport, Ind.

C&NW 32934
SP 30170
ACL 51885

(b) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 46-17317; Filed, Sept. 25, 1946;
9:02 a. m.]

[S. O. 614]

BRUNSWICK-BALKE-COLLENDER COMPANY
EMBARGOED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of September A. D. 1946.

It appearing, that The Brunswick-Balke-Collender Company, Muskegon, Michigan, has persistently and is now indulging in the practice of holding loaded freight cars an unreasonable time before unloading them; that the railroads have placed Embargo CSD No. 499 against the said company but they have and are disregarding their own embargo; that such practices are impeding the use of freight cars, thus contributing to the existing general shortage of such cars; in opinion of the Commission an emergency requir-

ing immediate action exists at Muskegon, Michigan; It is ordered, that:

(a) *Shipments to, or for The Brunswick-Balke-Collender Company be embargoed.* The Grand Trunk Western Railroad Company, the Muskegon Railway and Navigation Company, The Pennsylvania Railroad Company, and the Pere Marquette Railway Company shall not accept from shippers or connecting railroads a loaded freight car or cars consigned or reconsigned direct to, or advise The Brunswick-Balke-Collender Company; nor shall said named carriers deliver or place for delivery such car or cars consigned or reconsigned direct to, or advise The Brunswick-Balke-Collender Company, its agents or employees at any point or station within the switching limits of Muskegon or Muskegon Heights, Michigan.

(b) *Special and general permits.* This order shall be subject to any special or general permits issued by V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., authorizing a departure therefrom.

(c) *Effective date.* This order shall become effective at 12:01 a. m., September 21, 1946.

(d) *Expiration date.* This order shall expire at 11:59 p. m., October 31, 1946, unless modified, changed, suspended, or annulled by order of the Commission (40 Stat. 101, secs. 402, 418; 41 Stat. 475, 485, secs. 4, 10; 54 Stat. 901, 912; 49 U. S. C. 1 (10)-(17))

It is further ordered, That copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 46-17316; Filed, Sept. 25, 1946;
9:02 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 7284]

HEINZ MOSER

In re: Stock owned by Heinz Moser. F-28-22247-D-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Heinz Moser, whose last known address is Konigstadter Str. 103, Russelsheim/M, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Eight (8) shares of \$1.00 par value common capital stock of The Studebaker Corporation, South Bend, Indiana, a cor-

poration organized under the laws of the State of Delaware, evidenced by certificate Number 0293, and registered in the name of Heinz Moser, together with all declared and unpaid dividends thereon, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the afore-said national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of any set-offs, charges or deductions nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 30, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-17328; Filed, Sept. 25, 1946;
8:46 a. m.]

[Vesting Order 7535]

AUGUSTA ACKERMAN

In re: Bank account owned by Augusta Ackerman. F-28-23690-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Augusta Ackerman, whose last known address is Alisen Street, 20 1/2, Darmstadt, Hessen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Augusta Ackerman by Bank of America National Trust and Savings Association, 1 Powell Street, San

Francisco, California, arising out of a savings account, Account Number 12047, entitled Augusta Ackerman, maintained at the branch office of the aforesaid bank located at 350 Pine Avenue, Long Beach, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-17329; Filed, Sept. 25, 1946;
8:46 a. m.]

[Vesting Order 7540]

E. BARNEY

In re: Debt owing to E. Barney. F-28-22805-A-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That E. Barney, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to E. Barney, by Anderson,

Clayton & Co., P. O. Box 2538, Houston, Texas, in the amount of \$188.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-17330; Filed, Sept. 25, 1946;
8:46 a. m.]

[Vesting Order 7542]

CARL ALFRED BECKER

In re: Bank account and securities owned by Carl Alfred Becker. F-28-37, F-28-37A-1, F-28-37A-2, F-28-37D-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Carl Alfred Becker, whose last known address is 10 Freiherr von Steinstrasse, Berlin, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Carl Alfred Becker, by Hawaiian Trust Company, Ltd., Honolulu, T. H., arising out of an open account, entitled Carl Alfred Becker, and any and all rights to demand, enforce and collect the same, and

b. 350 shares of \$18 par value common capital stock of Inter-Island Steam Navigation Company, Ltd., Fort and Merchant Streets, Honolulu, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by Certificate Number 5791, and registered in the name of Carl Alfred Becker, together with all declared and unpaid dividends thereon.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-17331; Filed, Sept. 25, 1946;
8:47 a. m.]

[Vesting Order 7544]

MRS. BERTHA BENGRAF

In re: Obligation owing to Mrs. Bertha Bengraf. F-28-23742-A-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

1. That Mrs. Bertha Bengraf, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain matured obligation owing to Mrs. Bertha Bengraf by Lexington Avenue & 42d Street Corporation, 122 East 42d Street, New York, New York, evidenced by one Lexington Avenue & 42d Street Corporation Second Mortgage Leasehold Cumulative 2% Income Bond, due September 1, 1945, of \$1,000.00 face value, bearing the number M234, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-17332; Filed, Sept. 25, 1946;
8:47 a. m.]

[Vesting Order 7553]

ISAKU FUJIMOTO

In re: Bank account and claim owned by Isaku Fujimoto. D-39-200.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Isaku Fujimoto, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to Isaku Fujimoto, by Bishop National Bank of Hawaii, Honolulu, T. H., arising out of a blocked savings account, Account Number 10889, entitled Isaku Fujimoto, maintained at the branch office of the aforesaid bank located at Hilo, Hawaii, T. H., and any and all rights to demand, enforce and collect the same, and

b. All those debts or other obligations owing to Isaku Fujimoto, by Pacific Soda Works, Limited, 890 South King Street, Honolulu, T. H., including particularly but not limited to a portion of the sum of money on deposit with Bishop National Bank of Hawaii, Honolulu, T. H., in a blocked savings account, Account Number 19286, entitled Pacific Soda Works, Limited, Special Account for Non Resident Stockholders, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-17333; Filed, Sept. 25, 1946;
8:47 a. m.]

[Vesting Order 7556]

EDMUND AUGUST GARTNER ET AL.

In re: Debt owing to Edmund August Gartner and others. F-28-23595-C-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the following persons whose last known addresses are set forth opposite their names,

Names and Addresses

Edmund August Gartner, Leipzig, Germany.

Marie Gartner, Coburg, Germany.

Dora Birkle, Freiburg, Germany.

Emil Probst, Buchenrod, Germany.

Anna Bauer, Buchenrod, Germany.

Alfred Ehrlicher, Coburg, Germany.

Hilde Ehrlicher, Coburg, Germany.

Emil Ehrlicher, Ansbach, Germany.

Elise Schuhmann, Coburg, Germany.

Ludwig Probst, Aue, Germany.

are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Mississippi Valley Trust Company, St. Louis, Missouri, arising out of a blocked account, entitled Detjen & Detjen, Blocked Account, Attorneys in fact for 10 nationals of Germany, as specified in Treas. Lic. No. S. L. 1589, DTD. 1-30-42, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Edmund August Gartner, Marie Gartner, Dora Birkle, Emil Probst, Anna Bauer, Alfred Ehrlicher, Hilde Ehrlicher, Emil Ehrlicher, Elise Schuhmann and Ludwig Probst, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien

Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-17334; Filed, Sept. 25, 1946;
8:47 a. m.]

[Vesting Order 7557]

ADOLPH GOEBERT ET AL.

In re: Bank accounts owned by Adolph Goebert, Agnes Goebert, Granz Goebert, Rudolf Goebert, Hedwig Goebert, Heinrich Goebert, Josef Goebert, Max Goebert, Paul Goebert, Rudolph Goebert, Erika Kamenz, Wilhelm Kamenz, Charlotte Mann, and Helene Niefer.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the persons listed in Exhibit A, attached hereto and by reference made a part hereof, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to each individual whose name is set forth in the aforesaid Exhibit A, by The First National Bank of Chicago, Dearborn, Clark and Monroe Streets, Chicago, Illinois, arising out of savings accounts, the account numbers of which are set forth in the aforesaid Exhibit A, entitled in the manner set forth in the aforementioned Exhibit A, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold

or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in

whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Name of owner	Title of account	Account No.	File No.
Adolf Goebert	Adolf Goebert	1,339,310	F-28-23837-E-1
Agnes Goebert	Agnes Goebert	1,339,307	F-28-23838-E-1
Granz Goebert	Granz Goebert	1,339,309	F-28-23839-E-1
Rudolf Goebert	Rudolf Goebert	1,339,316	F-28-23846-E-1
Hedwig Goebert	Hedwig Goebert	1,339,305	F-28-23840-E-1
Heinrich Goebert	Heinrich Goebert	1,339,312	F-28-23841-E-1
Josef Goebert	Josef Goebert	1,339,311	F-28-23842-E-1
Max Goebert	Max Goebert	1,339,301	F-28-23844-E-1
Paul Goebert	Paul Goebert	1,339,314	F-28-23845-E-1
Rudolph Goebert	Rudolph Goebert	1,339,303	F-28-26154-E-1
Erika Kamenz	Erika Kamenz	1,365,963	F-28-23796-E-1
Wilhelm Kamenz	Wilhelm Kamenz	1,365,962	F-28-23795-E-1
Charlotte Mann	Miss Charlotte Mann	1,350,073	F-28-23964-E-1
Helene Niefer	Helene Niefer	1,367,121	F-28-23967-E-1

[F. R. Doc. 46-17335; Filed, Sept. 25, 1946; 8:47 a. m.]

[Vesting Order 7565]

JOHANNA MARGARETHA HANSEN ET AL.

In re: Bank account owned by Johanna Margaretha Hansen, Gustav Thos. Reinhold Hansen, Hans Christian Emil Hansen and Wilhelm Hansen. F-28-23822-C-1, F-28-23822-E-1.

* Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Johanna Margaretha Hansen, Gustav Thos. Reinhold Hansen, Hans Christian Emil Hansen and Wilhelm Hansen, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a savings account, Account Number 632, entitled California Holding Company, as Trustee for Johanna Margaretha Hansen, maintained at the branch office of the aforesaid bank located at 1019 Fillmore Street, San Francisco, California, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Johanna Margaretha Hansen, Gustav Thos. Reinhold Hansen, Hans Christian Emil Hansen and Wilhelm Hansen, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as

nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-17336; Filed, Sept. 25, 1946;
8:48 a. m.]

[Vesting Order 7569]

YEISHO KIYAN ET AL.

In re: Debts owing to Yeisho Kiyon and Kisshin Kiyon and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Yeisho Kiyan and Kisshin Kiyan, whose last known addresses are Tokyo, Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That each partnership, association, corporation or other business organization whose name and last known address is set forth in Exhibit A, attached hereto and by reference made a part hereof, is a partnership, association, corporation or other business organization organized under the laws of Japan, or which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan);

3. That the property described as follows: Those certain debts or other obligations owing to the individuals and organizations listed in Exhibit A, by the Superintendent of Banks of the State of New York, as Liquidator of the Business and Property in New York of Mitsui Bank, Ltd., 80 Spring Street, New York, New York, in the respective amounts appearing opposite the names of said individuals and organizations, as of December 31, 1945, arising out of collection after closing accounts, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Name and last known address of creditor	Amount of debt	APC File No.
Yeisho Kiyan and Kisshin Kiyan, Tokyo, Japan	\$1,000.00	F-39-71-C-1
T. Furuta & Co., Ltd., Kobe, Japan	3,681.03	F-39-365-C-1
Arakawa Trading Co., Tokyo, Japan	4,617.50	F-39-206-C-1
Nippon Trading Co., Kobe, Japan	7,421.03	F-39-1360-C-1
Kanesaka & Co., Ltd., Tokyo, Japan	1,193.65	F-39-1677-C-1
Nosawa & Co., Kobe, Japan	1,720.30	F-39-619-C-1
Beikoku Shoji Shokai, Yokohama, Japan	580.61	F-39-194-C-2
Tokyo Export Lamp Manufacturing Co., Tokyo, Japan	639.00	F-39-2862-C-1
Nipponphone Co., Ltd., Yokohama, Japan	99.36	F-39-3983-C-1
Kibi & Co., Ltd., Osaka, Japan	2,766.36	F-39-5141-C-1

[F. R. Doc. 46-17337; Filed, Sept. 25, 1946; 8:48 a. m.]

[Vesting Order 7577]

SHOSO NII

In re: Stock and bank account owned by Shoso Nii also known as Shozo Nii. F-39-3004-A1, F-39-3004-A2, F-39-3004-D-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Shoso Nii, also known as Shozo Nii, whose last known address is Hiroshima, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. 311 shares of \$10 par value common capital stock of Waipahu Garage, Limited, P. O. Box 162, Waipahu, Oahu, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by Certificate Number 27, dated April 7, 1939, and registered in the name of Shoso Nii, together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation owing to Shoso Nii, also known as Shozo Nii, by Bank of Hawaii, Honolulu, T. H., arising out of a blocked account, entitled Shoso Nii, maintained at the branch office of the aforesaid bank located at Waipahu, Oahu, T. H., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national

interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-17338; Filed, Sept. 25, 1946; 8:48 a. m.]

[Vesting Order 7578]

KANJI NUNOME

In re: Bank account owned by Kanji Nunome. D-39-15593-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Kanji Nunome, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Kanji Nunome, by The Northern Trust Company, 50 South La Salle Street, Chicago, Illinois, arising out of a savings account, Account Number 386485, entitled Kanji Nunome, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-17339; Filed, Sept. 25, 1946;
8:48 a. m.]

[Vesting Order 7596]

SUKEYOSHI TAKEBE

In re: Bank account owned by Sukeyoshi Takebe, also known as S. Takebe. D-39-1415-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Sukeyoshi Takebe, also known as S. Takebe, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Sukeyoshi Takebe, also known as S. Takebe, by Republic National Bank of Dallas, Dallas, Texas, arising out of a checking account entitled S. Takebe, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-17340; Filed, Sept. 25, 1946;
8:48 a. m.]

[Vesting Order 7597]

TOYO BOEKI SHOKAI

In re: Debts owing to Toyo Boeki Shokai. F-39-5110-C-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Toyo Boeki Shokai, the last known address of which is Yokohama, Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to Toyo Boeki Shokai, by Oriental Trading Co., Omaha, Nebraska, evidenced by various drafts drawn by Toyo Boeki Shokai on Oriental Trading Co., and presently in the custody of the Superintendent of Banks of the State of New York, as Liquidator of the Business and Property in New York of Bank of Taiwan, Ltd., 80 Spring Street, New York, New York, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation and any and all accruals thereto, together with any and all rights in, to and under, including particularly the right to possession of, the aforesaid drafts, and

b. That certain debt or other obligation owing to Toyo Boeki Shokai, by the Superintendent of Banks of the State of New York, as Liquidator of the Business and Property in New York of Bank of Taiwan, Ltd., 80 Spring Street, New York, New York, in the amount of \$2,296.40, as of December 31, 1945, arising out of a collection after closing account, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-17341; Filed, Sept. 25, 1946;
8:48 a. m.]

[Vesting Order 7598]

TRUCHI TSUCHIYA

In re: Cash owned by Truchi Tsuchiya.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Truchi Tsuchiya, whose last known address is Yodobashiku Tsunohazu, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Cash in the sum of \$11.78, presently in the custody of the Alien Property Custodian in Collection Account, Symbol 896-027,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-17342; Filed, Sept. 25, 1946;
8:48 a. m.]

[Vesting Order 7599]

TOKUTARO TSUMOTO

In re: Stock and claim owned by Tokutaro Tsumoto. F-39-5098-A-1, F-39-5098-D-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Tokutaro Tsumoto, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: a. 51 shares of \$10 par value common capital stock of Waipahu Garage, Limited, P. O. Box 162, Waipahu, Oahu,

T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by Certificate Number 10, dated September 1, 1928, and registered in the name of Tokutaro Tsumoto, together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation owing to Tokutaro Tsumoto, by Waipahu Garage, Limited, P. O. Box 162, Waipahu, Oahu, T. H., in the amount of \$145.94, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-17343; Filed, Sept. 25, 1946;
8:49 a. m.]

[Vesting Order 7605]

ISAO YANO

In re: Cash and bank account owned by Isao Yano.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

1. That Isao Yano, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Cash in the amount of \$60.22, formerly held by The Second National Bank of Houston, Houston, Texas, and presently in the possession of the Alien Property Custodian, and

b. That certain debt or other obligation owing to Isao Yano, by The Second National Bank of Houston, Houston, Texas, arising out of a checking account entitled Isao Yano, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 25, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-17344; Filed, Sept. 25, 1946;
8:49 a. m.]

[Vesting Order CE 326]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN ILLINOIS COURTS

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons ob-

tained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of

said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
<i>Item 1</i>					
Johanna Kondt Manfrass.....	Poland.....	Chicago Title & Trust Co., as trustee under the last will and testament of Frank Koncikowski, deceased, plaintiff, vs. Johanna Manfrass et al., defendants, in the Circuit Court of Cook County, Ill., No. 40-C-5466.	\$2,000.00	Metropolitan Trust Co., attorney-in-fact, 11 South LaSalle St., Chicago, Ill.	\$38.00
<i>Item 2</i>					
Herta Kondt.....	Poland.....	Same.....	2,000.00	Same.....	38.00
<i>Item 3</i>					
Wojciech Koncikowski, also known as Wojciech Kondt.....	Poland.....	Same.....	13,000.00	Same.....	250.00
<i>Item 4</i>					
Tekla Leppert.....	Poland.....	Same.....	13,000.00	Same.....	250.00
<i>Item 5</i>					
Praxedas Rybak.....	Poland.....	Same.....	13,000.00	Same.....	250.00
<i>Item 6</i>					
Stanislawa Zbilski, now Stanislawa Podgorna.....	Poland.....	Same.....	13,000.00	Same.....	250.00
<i>Item 7</i>					
Jan Damazyn (a child of Maryanna Damazyn, deceased, sister of Frank Koncikowski, deceased).	Poland.....	Same.....	13,250.00	Same.....	62.00
<i>Item 8</i>					
Wladyslaw Damazyn (a child of Maryanna Damazyn, deceased, sister of Frank Koncikowski, deceased).	Poland.....	Same.....	13,250.00	Same.....	62.00
<i>Item 9</i>					
Janina Damazynowska (a child of Maryanna Damazyn, deceased, sister of Frank Koncikowski, deceased).	Poland.....	Same.....	13,250.00	Same.....	62.00
<i>Item 10</i>					
Maryanna Damazyn (a child of Maryanna Damazyn, deceased, sister of Frank Koncikowski, deceased).	Poland.....	Same.....	13,250.00	Same.....	62.00

¹ Approximately.

[F. R. Doc. 46-17345; Filed, Sept. 25, 1946; 8:49 a. m.]

[Vesting Order CE 327]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CALIFORNIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take

measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 4 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property which each of the persons named in said Column 1 of said Exhibit A obtains or is determined to have as a result of the action or proceeding described in said Column

3 of said Exhibit A the sums stated in said Column 4 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		<i>Item 1</i>				<i>Item 21</i>	
Clara Jaspe.....	Poland.....	Estate of Isadore Lewis, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles; No. 218-921.	\$7.00	Scapsee Rosenblum.....	Poland.....	Same.....	\$7.00
		<i>Item 2</i>				<i>Item 22</i>	
Joel Jaspe.....	Poland.....	Same.....	7.00	Yosef Rosenblum.....	Poland.....	Same.....	7.00
		<i>Item 3</i>				<i>Item 23</i>	
Jankel Jaspe.....	Poland.....	Same.....	7.00	Itschok Rosenblum.....	Poland.....	Same.....	7.00
		<i>Item 4</i>				<i>Item 24</i>	
Fajga Kopelman.....	Poland.....	Same.....	7.00	Shifro Kac.....	Poland.....	Same.....	7.00
		<i>Item 5</i>				<i>Item 25</i>	
Basia Kopelman.....	Poland.....	Same.....	7.00	Zisel Biederman.....	Lithuania.....	Same.....	7.00
		<i>Item 6</i>				<i>Item 26</i>	
Genia Kopelman.....	Poland.....	Same.....	7.00	Gittel Waksman.....	Poland.....	Same.....	7.00
		<i>Item 7</i>				<i>Item 27</i>	
Zosia Kopelman.....	Poland.....	Same.....	7.00	Katalin Bognar.....	Yugoslavia.....	Estate of Joe Bognar, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles; No. 205316.	18.00
		<i>Item 8</i>				<i>Item 28</i>	
Szulem Kopelman.....	Poland.....	Same.....	7.00	Maria Bognar Kompa.....	Yugoslavia.....	Same.....	18.00
		<i>Item 9</i>				<i>Item 29</i>	
Max Goldblat.....	Poland.....	Same.....	7.00	Anna Bognar Karlovec.....	Yugoslavia.....	Same.....	18.00
		<i>Item 10</i>				<i>Item 30</i>	
Madeline Goldblat.....	Belgium.....	Same.....	7.00	Tereza Hajba Miser Kraswoc.....	Yugoslavia.....	Same.....	18.00
		<i>Item 11</i>				<i>Item 31</i>	
Harry Goldblat.....	Belgium.....	Same.....	7.00	George Seferovich.....	Yugoslavia.....	Estate of Bodgo M. Seferovich, also known as B. M. Seferovich, also known as Bozo Seferovich, also known as Bob Seferovich, deceased, in the Superior Court of the State of California, in and for the City and County of San Francisco; No. 91256.	7.00
		<i>Item 12</i>				<i>Item 32</i>	
Sam Goldblat.....	Belgium.....	Same.....	7.00	Peter Seferovich.....	Yugoslavia.....	Same.....	7.00
		<i>Item 13</i>				<i>Item 33</i>	
Adolph Goldblat.....	Belgium.....	Same.....	7.00	Lubice Seferovich.....	Yugoslavia.....	Same.....	7.00
		<i>Item 14</i>				<i>Item 34</i>	
Felice Goldblat.....	Belgium.....	Same.....	7.00	Draga Seferovich.....	Yugoslavia.....	Same.....	7.00
		<i>Item 15</i>				<i>Item 35</i>	
Juken Demich or Mika Petovich and Sava Basarich.....	Yugoslavia.....	Estate of Milo Demich, deceased, in the Superior Court of the State of California, in and for the County of Shasta.	31.00	Doro L. Pupic.....	Yugoslavia.....	Estate of John R. Pupich, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles; No. 214234.	6.00
		<i>Item 16</i>				<i>Item 36</i>	
John Vuich or issue.....	Yugoslavia.....	Estate of John M. Vuich, also known as John Marin Vuich, also known as John Vuich, deceased, in the Superior Court of the State of California, in and for the City and County of Los Angeles; No. 174885.	25.00	Jovo L. Pupic.....	Yugoslavia.....	Same.....	6.00
		<i>Item 17</i>				<i>Item 37</i>	
Marin Vuich or issue.....	Yugoslavia.....	Same.....	25.00	Dusen L. Pupic.....	Yugoslavia.....	Same.....	6.00
		<i>Item 18</i>				<i>Item 38</i>	
Hirs Rosenblum.....	Poland.....	Estate of Aaron Leib Rosenblum, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles; No. SMP-2007.	7.00	Mile L. Pupic Elakovic.....	Yugoslavia.....	Same.....	6.00
		<i>Item 19</i>				<i>Item 39</i>	
Chai Yeudis Rosenblum.....	Poland.....	Same.....	7.00	Danica L. Pupic Sibad.....	Yugoslavia.....	Same.....	6.00
		<i>Item 20</i>				<i>Item 40</i>	
Israel Rosenblum.....	Poland.....	Same.....	7.00	Risto M. Prnjat.....	Yugoslavia.....	Same.....	6.00
						<i>Item 41</i>	
						<i>Item 42</i>	
				Andje M. Prnjat.....	Yugoslavia.....	Same.....	6.00

[F. R. Doc. 46-17346; Filed, Sept. 25, 1946; 8:49 a. m.]

[Vesting Order 5157, Amdt.]

ANNA ZETERBERG

In re: Estate of Anna Zeterberg, deceased. File D-28-9747; E. T. sec. 13660. Vesting Order Number 5157, dated July 23, 1945, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and

No. 188—4

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Fritz Peters in and to the Estate of Anna Zeterberg, deceased, which includes but is not limited to:

(a) A mortgage executed on July 27, 1939, by W. H. Mervine to Rupert P. Nillis, testamentary trustee under the last will and testament of Anna Zeterberg, deceased, and recorded in the Recorder's Office of the County of Monroe, Pennsylvania in Mortgage Book, Vol. 65, Page 459, and any and all obligations secured by said mortgage, including but not lim-

ited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations and the right to enforce and collect such obligations and the right to possession of any and all notes, bonds and other instruments evidencing such obligations.

(b) The interest in and to a certain indenture of mortgage dated May 2, 1928, made by the S. R. H. Building Corporation to J. Lehrenkrauss and Sons, a co-partnership, and recorded on May 3, 1928, in the Register's Office, County of Kings, New York, in Liber 7006 of Mortgages, Page 520, Section 15, Block 4943, which interest was assigned by J. Lehrenkrauss and Sons to Anna Zeterberg by assignment dated January 2, 1932, and recorded on January 8, 1934, in the Register's Office, County of Kings, New York, in Liber 7861 of Mortgages, Page 376, Block 4943, and any and all obligations acquired pursuant to the above-described assignment, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations and the right to enforce and collect such obligations and the right of possession of any and all notes, bonds and other instruments evidencing such obligations,

(c) A mortgage executed on July 28, 1925, by Russell Holmstrom and Mildred Holmstrom, his wife, to National Title Guaranty Company, a corporation organized under the laws of the State of New York, and recorded on July 29, 1925, in the Register's Office, County of Kings, New York, in Liber 6113 of Mortgages, Page 292, Block 4975, which was assigned, after various mesne assignments, by J. Lehrenkrauss and Sons, a co-partnership, to Anna Zeterberg, by assignment, dated December 8, 1931, and recorded on January 8, 1934, in the Register's Office, County of Kings, New York, in Liber 7861 of Mortgages, Page 376, Block 4975, and assigned by the said Anna Zeterberg by an unrecorded assignment dated -----, 1936, to herself and Fritz Peters as joint tenants, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations and the right to enforce and collect such obligations and the right of possession of any and all notes, bonds and other instruments evidencing such obligations, and is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Fritz Peters, Germany.

That such property is in the process of administration by Rupert P. Nilis, as trustee, acting under the judicial supervision of the Orphans' Court of Pike County, Milford, Pennsylvania;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-17347; Filed, Sept. 25, 1946;
8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1363]

WORCESTER GAS LIGHT CO. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of September 1946.

In the Matter of Worcester Gas Light Company, Cambridge Gas Light Company and New England Gas and Electric Association, File No. 70-1363.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New England Gas and Electric Association (New England), a registered holding company, and its subsidiaries, Worcester Gas Light Company (Worcester) and Cambridge Gas Light Company (Cambridge);

All interested persons are referred to said application-declaration, which is on file in the offices of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Worcester proposes to issue to Cambridge 1,900,000 principal amount of 3½% first series unsecured serial notes due 1971 in exchange for a like principal amount of 4% demand notes now held by Cambridge and to issue to New England \$1,000,000 principal amount of 3½% second series unsecured serial notes due 1971 and 45,824 shares of common stock at \$25 par value amounting

to \$1,145,600 in exchange for presently outstanding indebtedness of \$2,145,600, consisting of 4% demand notes amounting to \$1,295,600 and open account indebtedness of \$850,000, stated to be owed to New England.

The application by Worcester is filed pursuant to section 6 (b) of the act for exemption from the provisions of section 6 (a) of the act as to the issue and sale of the proposed securities, such issue and sale having been expressly authorized by the Department of Public Utilities of Massachusetts by order dated July 25, 1946. New England and Cambridge have joined in the filing under sections 9 (a), 10 and 12 (f) of the act in respect to their acquisition of the proposed securities.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matter and that said application shall not be granted nor said declaration permitted to become effective except pursuant to further order of this Commission:

It is hereby ordered, That a hearing on such matter under the applicable provisions of said act and rules of the Commission promulgated thereunder be held on October 7, 1946 at 11 a. m., E. S. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, at which time the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such application-declaration shall be granted or become effective. Any person desiring to be heard in such proceeding shall file with the Commission, on or before September 30, 1946, his request therefor as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a Trial Examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said application-declaration otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed sale by Worcester and the acquisition by Cambridge and New England of the securities of Worcester satisfies the applicable standards of sections 10 and 12 (f) of the act.

2. The propriety or necessity of the sale by Worcester of its securities to Cambridge and the acquisition thereof by Cambridge.

3. Whether the proposed consideration for the securities of Worcester is fair and reasonable.

4. Whether the proposed issue and sale of securities by Worcester are solely for the purpose of financing the business of Worcester and are entitled to exemption from the provisions of section 6 (a) of the act.

5. Whether, in the event the proposed issue and sale of securities by Worcester are not entitled to exemption from the provisions of section 6 (a) of the act, such issue and sale of securities satisfy the standards of section 7 of the act.

It is further ordered, That notice of such hearing be given to applicants-declarants and to all other interested persons; said notice to be given to applicants-declarants by registered mail, and to all other persons by general release of the Commission which shall be distributed to the press and mailed to persons on the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-17269; Filed, Sept. 25, 1946;
9:00 a. m.]

[File No. 70-1355]

CENTRAL NEW YORK POWER CORP. AND
HAMMOND LIGHT & POWER CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of September 1946.

Central New York Power Corporation ("Central"), a subsidiary of Niagara Hudson Power Corporation, in turn, a subsidiary of The United Corporation, a registered holding company, and Hammond Light and Power Company ("Hammond"), a subsidiary of Central, having filed a joint application-declaration pursuant to sections 10 and 12 of the Public Utility Holding Company Act of 1935 and the Rules and Regulations promulgated thereunder with respect to the following transactions:

Central, which at present owns 54 shares (54%) of the common stock of Hammond, proposes to purchase from Oswegatchie Light and Power Company, a non-affiliate, for a cash consideration of \$12,466 (\$271 per share), the remaining outstanding 46 shares of Hammond common stock. Upon acquisition of these shares, it is proposed that Hammond be merged into Central.

Central presently provides electric service in the territory contiguous to that of Hammond and supplies Hammond with all of its energy requirements for distribution to the public.

The proposed transactions have been approved by the Public Service Commission of the State of New York.

Said joint application-declaration having been filed on August 22, 1946, and notice of said filing having been duly given in the form and manner provided by Rule U-23 promulgated pursuant to

said act, and the Commission not having received a request for hearing with respect to said joint application-declaration within the period prescribed in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding that no adverse findings are necessary under sections 10 (b) or 10 (c) (1) of the act and that the transaction involved has the tendency required by section 10 (c) (2) of the Act, and that the requirements of sections 12 (c) and 12 (f) are satisfied;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that said application and declaration be, and the same hereby are, granted and permitted to become effective, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-17271; Filed, Sept. 25, 1946;
9:01 a. m.]

[File Nos. 54-149, 70-815, 59-12]

ELECTRIC BOND AND SHARE CO. ET AL.

NOTICE OF FILING PLAN AND NOTICE OF AND ORDER FOR HEARING AND ORDER OF CONSOLIDATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of September A. D. 1946.

In the matter of Electric Bond and Share Company and American Power & Light Company, File No. 54-149; in the matter of American Power & Light Company, File No. 70-815; In the matter of Electric Bond and Share Company, American Power & Light Company, Pacific Power & Light Company, Electric Power & Light Corporation, Utah Power & Light Company, National Power & Light Company and Ebasco Services Incorporated, Respondents, File No. 59-12.

Subsidiary	Number of shares of common stock at June 30, 1946	Percent of outstanding common stock	Contemplated number of shares of common stock
Florida Power & Light Co.	2,500,000	100	2,000,000
Kansas Gas and Electric Co.	600,000	100	
Minnesota Power & Light Co.	550,000	100	
Superior Water, Light & Power Co. ¹	11,000	100	
The Montana Power Co.	2,475,605	99.7	
Northwestern Electric Co.	100,000	100	
Pacific Power & Light Co.	1,000,000	100	
Portland Gas & Coke Co.	311,130	100	
Texas Public Utilities Corp.	2,100,000	100	
Texas Utilities Co.	2,001,000	100	4,000,000
Dallas Power & Light Co. ²	249,169	91.3	
Texas Electric Service Co. ³	1,705,000	100	
Texas Power & Light Co. ³	2,500,000	100	
The Washington Water Power Co.	2,637,305	99.8	

¹ Minnesota Power & Light Co. owns the common stock of this company.

² Including a few directors' qualifying shares which are under option to the parent company, at not more than \$5 per share.

³ Texas Utilities Co. owns the common stocks of these three companies in the amounts shown above.

This Commission on August 22, 1942 entered an order, pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, requiring that the existence of American be terminated and the company be dissolved, and that American and Bond and Share proceed

American Power & Light Company ("American") is a corporation organized under the laws of the State of Maine, having its principal business offices in New York, New York. American is a registered holding company under the Public Utility Holding Company Act of 1935 and is a subsidiary of Electric Bond and Share Company ("Bond and Share"), a corporation organized under the laws of the State of New York and a registered holding company, having its principal business offices in New York, New York.

At June 30, 1946, American's capitalization was as follows:

	Number of shares outstanding	Stated value
Preferred stock (\$6) cumulative, no par	1,793,581.2	\$79,300,926.00
\$5 preferred stock, cumulative, no par	978,444	97,844,400.00
Common stock, no par	3,008,511.54	37,434,351.29

¹ Including scrip equivalent to 20.2 shares.

² Excluding 5,301 shares reacquired and including scrip equivalent to 1,548.54 shares.

NOTE: Retirement of American's funded debt was completed in 1945.

At June 30, 1946, unpaid accumulated dividends amounted to \$34,579,377.00 (\$43.575 a share) on the \$6 preferred stock and \$35,529,747.75 (\$36.3125 a share) on the \$5 preferred stock.

At June 30, 1946, Bond and Share owned 51,840 shares of American's \$5 preferred stock (approximately 2.9% of all of the shares of American's preferred stock outstanding) and 937,221 shares of American's common stock (approximately 31% of such shares outstanding). These holdings give Bond and Share approximately 20.7% of the voting power of all of American's securities outstanding.

At June 30, 1946, American's holdings of stocks of its principal subsidiaries were as follows: (It is contemplated that the present shares will be reclassified prior to the carrying out of the proposed plan, described herein, into the number of shares indicated).

Subsidiary	Number of shares of common stock at June 30, 1946	Percent of outstanding common stock	Contemplated number of shares of common stock
Florida Power & Light Co.	2,500,000	100	2,000,000
Kansas Gas and Electric Co.	600,000	100	
Minnesota Power & Light Co.	550,000	100	
Superior Water, Light & Power Co. ¹	11,000	100	
The Montana Power Co.	2,475,605	99.7	
Northwestern Electric Co.	100,000	100	
Pacific Power & Light Co.	1,000,000	100	
Portland Gas & Coke Co.	311,130	100	
Texas Public Utilities Corp.	2,100,000	100	
Texas Utilities Co.	2,001,000	100	4,000,000
Dallas Power & Light Co. ²	249,169	91.3	
Texas Electric Service Co. ³	1,705,000	100	
Texas Power & Light Co. ³	2,500,000	100	
The Washington Water Power Co.	2,637,305	99.8	

¹ Minnesota Power & Light Co. owns the common stock of this company.

² Including a few directors' qualifying shares which are under option to the parent company, at not more than \$5 per share.

³ Texas Utilities Co. owns the common stocks of these three companies in the amounts shown above.

with due diligence to submit a plan or plans for the effectuation of said order. American appealed to the United States Circuit Court of Appeals for the First Circuit which affirmed the action of the Commission. Thereafter, American filed its petition for certiorari to the United

States Supreme Court which granted such petition. The matter was argued before the court in November 1945, but the court has not yet rendered its decision and has directed that a reargument of the case be made.

In November 1943, American filed with the Commission an application for approval of a proposed reclassification of its outstanding preferred and common stocks into a single class of capital stock. Hearings on that application were held but not completed. In connection with American's application to the Commission in 1945 for authority to organize Texas Utilities Company, a wholly-owned registered holding company subsidiary of American, American stipulated that within one year from the date of the order (October 24, 1945) granting the application (unless the Commission should extend such time) it would dispose of all its interest in Texas Utilities Company and all of the subsidiaries thereof, either by distribution thereof among American's stockholders, or by sale or otherwise, such disposition to be in a manner approved by this Commission.

II. Notice is hereby given that on September 6, 1946, Bond and Share and American filed a joint application with the Commission, pursuant to section 11 (e) of the act, for approval of a plan to provide for the retirement of all of American's outstanding preferred stocks either through an exchange offer of certain portfolio securities of American or for cash, and for the compromise and settlement of various claims as between American and certain of its subsidiaries and Bond and Share and its wholly-owned subsidiaries. The applicants state that the plan is further designed to result in the disposition by American of its interest in Texas Utilities Company and in the subsidiaries of Texas Utilities Company. It is proposed that when and if such plan shall have been approved by this Commission and an order shall have been entered by a United States District Court approving and enforcing such plan, the application filed in November 1943 by American for approval of a proposed reclassification of its outstanding preferred and common stocks into a single class of capital stock be withdrawn.

All interested persons are referred to said joint plan, which is on file in the office of this Commission, for a full statement of the transactions therein proposed which may be summarized as follows:

1. As of June 30, 1946 the plan designates the claim of the \$6 Preferred Stock at \$150.00 per share and of the \$5 Preferred Stock at \$137.00 per share. In addition to the discharge of these claims, the plan contemplates the payment of the following amounts (hereinafter called "Cash Adjustment") to American's preferred stockholders:

(a) With respect to those holders of preferred stocks who accept the exchange offer, herein described, amounts in cash at the rate per share of \$6 or \$5 per annum, from July 1, 1946 to the Exchange Date, fixed as described in paragraph 9 hereof less dividends declared during such period; or

(b) With respect to those holders of preferred stocks who do not accept the exchange offer, herein described, amounts in cash at the rate per share of \$6 or \$5 per annum, from July 1, 1946 to the Retirement Date, fixed as described in paragraph 18 hereof, less dividends declared during such period.

2. Promptly after the entry by a United States District Court of an order approving and enforcing the plan, American will offer for sale, at competitive bidding, 15% of its holdings of the common stock of each of Florida Power & Light Company, Kansas Gas and Electric Company, Minnesota Power & Light Company, The Montana Power Company and Texas Utilities Company ("Five Companies"). Each bid will be a separate bid for all the offered common stock of any one of the Five Companies. If 15% of the common stock of any one of the Five Companies is not sold as aforesaid, then the common stock of that company shall not be included in the exchange units, described in paragraph 3, hereof, and "Five Companies" as hereinafter referred to shall be deemed to exclude that company. American reserves the right to reject all bids and will not accept any of such bids unless it at the same time accepts bids for the sale of the common stocks of at least four of the said companies.

3. After the sales provided for in paragraph 2, American will make up exchange units of securities and cash to be offered to its preferred stockholders in exchange for their preferred stock. These exchange units will be made up of the common stocks of the Five Companies remaining in American's portfolio after the sales provided for in paragraph 2 ("Exchange Securities") and will be valued at the prices per share received by American for the respective common stocks on such sales, plus 5% of such prices (being an allowance to embrace the distribution spread between the bid price and the public offering price.)

4. The common stock of each of the Five Companies will be divided into two portions bearing the same relation to each other as the total \$6 Preferred Stock claims bear to the total \$5 Preferred Stock claims. Such portions will be allocated to the outstanding shares of \$6 Preferred Stock and to the outstanding shares of \$5 Preferred Stock, respectively.

5. Using the values determined as described in paragraph 3 above, the common stock of each of the Five Companies will be allocated ratably to \$6 Preferred Stock exchange units and to \$5 Preferred Stock exchange units in such percentage as will make the total value of the shares of common stock in each of such exchange units as nearly as possible equal to, without exceeding, the respective claims, as designated in the plan, of each share of \$6 Preferred Stock and each share of \$5 Preferred Stock. Such exchange units, plus the cash adjustment, will be offered in exchange for each of the shares of \$6 Preferred Stock and for each of the shares of \$5 Preferred Stock.

6. To the extent that the securities in the respective exchange units have a

value less than the claims, as designated in the plan, of each share of preferred stock for which they are to be offered in exchange, cash will be allocated to each exchange unit in the amount of the difference. If the total value of the Exchange Securities exceeds the total preferred stock claims, as designated in the plan, then there will be withdrawn from the exchange units, first, shares of Minnesota Power & Light Company, second (if necessary), shares of Kansas Gas and Electric Company and third (if necessary), shares of The Montana Power Company.

7. Notice of the exchange offer will be given by publication and by mail to all holders of American's preferred stocks. The preferred stockholders will have 20 days from the date said notice is published to accept the exchange offer by deposit of any or all of the shares held by them as set forth below. It is provided that such period may be extended by American for an aggregate of not more than 30 additional days, any such extension to be subject to termination by American at any time after the exchange offer has become effective as specified in paragraph 8.

8. American will appoint an agent or agents to facilitate the making of exchanges under the plan. The exchange offer will become effective upon the deposit with the exchange agent of shares of preferred stock having claims aggregating not less than 65% of the total preferred stock claims, as designated in the plan. The exchange offer may be made effective by American, in its discretion, upon deposit of shares of preferred stock having less than 65% of the total of such claims; but, under the plan, American could not declare the exchange offer effective on deposit of shares of preferred stock having less than 50% of the total of such claims without the written consent of Bond and Share.

9. After the exchange offer had become effective and the 20-day exchange period, or any extensions thereof, had expired, American will fix an Exchange Date on and after which the exchange units and the cash adjustment, mentioned in paragraph 1, will be available for distribution upon the surrender to the exchange agent of deposit receipts described in paragraph 10.

10. To accept the exchange offer, a stockholder would sign a letter of transmittal evidencing such acceptance as to any or all shares of preferred stock held by him, and would deposit the certificate or certificates for such shares with the exchange agent at or before 3:00 p. m., New York City time, on the last day of the exchange period. Thereupon, the exchange agent will deliver to, or upon order of, the depositing stockholder a transferable deposit receipt evidencing such deposit.

11. In the event that the exchange offer becomes effective, such deposit receipt will entitle the holder thereof to receive in exchange therefor, as the equivalent of the full preferred stock claims and in full satisfaction thereof, the exchange units consisting of securities and cash, the cash adjustment, and dividends, if any, paid or payable on the exchange securities in the period after

the exchange date and prior to the date of such distribution to the holder of the deposit receipt.

12. Deposited shares may not be withdrawn after the exchange offer has become effective nor at any time during the exchange period, or any extensions thereof. In the event that the exchange offer should fail to become effective within seven business days after the expiration of the exchange period, each deposit receipt will entitle the holder thereof to receive a certificate or certificates representing the number of shares of preferred stock shown by such deposit receipt to have been deposited.

13. In the event that the exchange units, consisting of securities and cash made up as described above, are oversubscribed through deposit of shares of preferred stock having total claims, as designated in the plan, in excess of the total value of the exchange units, the amount of each block of common stock in each exchange unit will be proportionately reduced and the amount of cash proportionately increased so as to increase the number of exchange units to the extent necessary.

14. Bond and Share agrees, in respect to those remaining shares of \$5 Preferred Stock which it will own after the surrender of stock contemplated by paragraph 24 hereof, that, to the extent that the exchange units set aside for both classes of preferred stock would be oversubscribed through acceptance by it of the exchange offer, it will not accept the exchange offer; but that, if preferred stock having less than 65% of the total preferred stock claims, as designated in the plan, should accept the exchange offer within the exchange period, it will accept the exchange offer by depositing the said shares hereunder. Bond and Share for this reason will have seven business days after the expiration of the exchange period to deposit said shares in acceptance of the exchange offer.

15. In the event that the exchange offer becomes effective, all shares of preferred stock deposited under the plan will be retired and cancelled as of the exchange date.

16. No fractional shares or scrip certificates will be delivered in connection with the exchange offer. If deposit receipts are surrendered, the exchange agent will combine fractional interests in stock of each company included in the exchange units allotted to the holder of such receipts in order to eliminate the fractional interests so far as practicable. Such fractional interests in stock of any such company as thereafter remain will be combined by the exchange agent with fractional interests in the stock of that company remaining for other holders who have surrendered their deposit receipts, and the exchange agent will then sell the resulting full shares of stock of that company in the open market. The exchange agent will then deliver to the holders who surrendered such receipts their respective shares, as allocated by the exchange agent, of the average net proceeds of such sales.

17. Deposit receipts not presented for delivery of exchange units within six years after the exchange date (subject to certain exceptions arising under laws

and regulations necessitated by World War II) will become void and the securities contained in such exchange units will be sold by the exchange agent, and the net proceeds of such sales and any cash that would have been payable against the surrender of such deposit receipts will be delivered to American and held as part of its general corporate funds, or, in the event of American's dissolution, such funds will be delivered to and retained by any person or persons appointed to administer its affairs in dissolution for eventual distribution pro rata to the holders of record of American's common stock at the date of its dissolution.

18. When and if the exchange offer described above shall become effective, American will establish a retirement date for the purpose of completing the retirement of the \$6 and \$5 Preferred Stocks which have not been retired pursuant to the exchange offer. Such retirement date will not be later than 180 days after the exchange date, or such additional number of days as may be approved by the Commission upon application of American. American will then retire the remaining shares of preferred stock through the payment to the holders thereof of \$150 in cash and \$137 in cash for each share of the \$6 and \$5 Preferred Stocks, respectively, plus the cash adjustment.

19. Within two years after the retirement date, referred to in paragraph 18, presently outstanding scrip of American representing in the aggregate at least one share of \$6 Preferred Stock may be surrendered to the exchange agent in exchange for (a) cash equal to the preferred stock claim, as designated in the plan, in respect of each full share of \$6 Preferred Stock represented by such scrip, without interest thereon, and (b) scrip of American for any balance representing a fraction of a share. So much of American's scrip in respect of American's \$6 Preferred Stock as shall remain outstanding at the expiration of two years following the retirement date shall then become void and of no effect.

20. Upon entry by a United States District Court of an order approving and enforcing the proposed plan, American proposes to apply to the United States Supreme Court for leave to withdraw the Dissolution Order Appeal.

21. Cash necessary for the carrying out of the plan will be provided from the cash and cash items now in American's treasury, and the cash proceeds of the sales of 15% of the common stocks of the Five Companies, and possibly from the proceeds of the sale of the common stocks of Pacific Power & Light Company and/or The Washington Water Power Company and other subsidiaries. In lieu of making any sales of its portfolio securities, other than 15% of the common stocks of the Five Companies, or while such sales are pending, American reserves the right to raise, upon application to the Commission, through bank loans any cash necessary for the retirement of the preferred stock.

22. If, after the sales made to provide for the retirement of the preferred stock or to pay off the bank loans mentioned in paragraph 21, there will remain in Amer-

ican's portfolio any shares of common stock of the Five Companies, American proposes within 240 days after the exchange date, or within such further time as the Commission may fix upon application of American, to file an application with the Commission for appropriate disposition of such remaining common stocks.

23. The plan provides that Bond and Share will sell, either at competitive bidding or in such other manner as this Commission may permit, all of the shares of common stock of the Five Companies received by it under the plan not later than one year (unless such period is extended by this Commission) after the exchange date.

24. The plan proposes the compromise, settlement and discharge of any and all claims against Bond and Share, and its wholly-owned subsidiaries, by or on behalf of American, and its subsidiaries and certain former subsidiaries, and by and on behalf of their various security holders, through the surrender by Bond and Share to American of 12,500 shares of American's \$5 Preferred Stock held by Bond and Share, and the payment by Bond and Share to American of \$787,167 in cash. Thereupon, American will make capital contributions to certain of its subsidiaries in the amounts enumerated in the plan. The plan also petitions, in the event the plan is approved, that the Commission approve the payment of an aggregate of \$194,135 by American to certain plaintiffs, their attorneys, and their accountants, for the full settlement and satisfaction of claims on account of services rendered in connection with the claims proposed to be compromised and settled as described above.

The Commission is requested in the event it approves the plan to apply to an appropriate district court of the United States for its enforcement. The plan provides that the approval of the plan by the Commission and its confirmation by the court shall have the effect of a complete compromise, settlement and discharge of all claims of any of the parties thereto or their various security holders, as such, as against any of the other parties thereto in any way relative to, or arising out of, the matters as more particularly described in "subsection III-B" of the plan irrespective of whether the voluntary exchange offer described in the plan shall become effective.

The plan states that its consummation is subject to the receipt from the United States Treasury Department of a closing agreement or ruling as to the tax consequences to American, to the holders of its preferred stocks, and to Bond and Share of the transactions necessary to carry out the plan, which agreement or ruling shall be satisfactory to American and to Bond and Share. Bond and Share and American request that any order of the Commission approving the plan recite that the relevant transactions of the plan are necessary or appropriate to the integration or simplification of the holding company system of which American is a member and are necessary or appropriate to effectuate the provisions of section 11 (b) of the act within the meaning and requirements of the Internal Reve-

nue Code, as amended, including section 1808 (f) and Supplement R thereof.

III. It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that hearings be held with respect to said plan of Bond and Share and American, and with respect to any appropriate plan which might be filed during the course of the proceedings, and further with respect to what action should be taken by Bond and Share and American to meet the provisions of the Commission's order directing the dissolution of American, and that said plan or any plans that might be filed during the course of the proceeding should not be approved except pursuant to further order of the Commission; and

It further appearing to the Commission that the proceedings herein with respect to the pending plan (File No. 54-149), the proceedings with respect to the proposed reclassification of American's preferred and common stocks into one class of capital stock (File No. 70-815); and the proceedings directed to the dissolution of American (File No. 59-12), involve common questions of law and fact and should be consolidated, and that a hearing should be held in order that consideration may be given to an appropriate plan to effectuate compliance with the Commission's dissolution order regarding American:

It is ordered, That the proceedings entitled "Electric Bond and Share Company, et al., File No. 59-12", "American Power & Light Company, File No. 70-815", and "American Power & Light Company, File No. 54-149", be, and the same hereby are, consolidated, and that any relevant evidence adduced in said prior proceedings shall be incorporated, and be deemed part of, the record in the proceedings in File No. 54-149, without prejudice, however, to the right of the Commission upon its own motion or upon the motion of any interested party to strike such portions of the record in the prior proceedings as may be deemed irrelevant to the issues raised with respect to the proposed plan.

It is further ordered, That a hearing be held on October 22, 1946 at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locusts Streets, Philadelphia, Pennsylvania. At such hearing consideration will be given to the plan herein, to such other plans which may be filed during the course of the proceedings, and to what action should be taken by American to meet the provisions of the Commission's order directing the dissolution of American. In the event that other plans are filed or proposed during the course of said proceedings, no notice of such plans will be given unless specifically ordered by the Commission.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues otherwise

to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the plan filed herein, or any plan hereafter proposed, as submitted or as hereafter modified, is necessary to effectuate the provisions of section 11 (b) and constitutes an appropriate step in compliance with the order of the Commission dated August 22, 1942 thereunder.

(2) Whether the plan filed herein or any plan hereafter proposed, as submitted or as hereafter modified, is fair and equitable to the persons affected thereby.

(3) Whether the amounts of \$150.00 and \$137.00 designated in the plan as the respective claims of each of the shares of \$6 and \$5 Preferred Stocks and the proposed exchange of securities and the valuation thereof are fair and equitable to security holders of American.

(4) Whether the amounts proposed to be paid by Bond and Share to American and by American to its subsidiaries by way of compromise and settlement of the claims described in the plan are fair and reasonable.

(5) Whether the plan, as filed or as modified, makes appropriate provision for the payment of expenses, fees and remuneration in connection therewith, in what amounts such expenses, fees and remuneration should be paid, and the fair and equitable allocation thereof.

(6) Whether the mechanics set up for the effectuation of the plan are feasible.

(7) Whether the accounting entries in connection with the proposed transactions are in conformity with the standards of the act and rules promulgated thereunder.

(8) Whether the acquisition by Bond and Share of securities of American's subsidiaries meets the requirements of the applicable provisions of the act, particularly sections 10 and 12 thereof.

(9) Whether the Commission shall, in accordance with the petition of the parties to the plan, approve the amounts of the proposed payments to be made by American to the plaintiffs, or their attorneys, or their accountants in the legal proceedings specifically enumerated in the plan, by way of reimbursement of disbursements or allowances for legal or professional services, and, generally, what action it should take in the exercise of its jurisdiction over this matter.

(10) Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the applicable statutory standards.

(11) Whether this plan or a plan proposed by the Commission or by any qualified person in accordance with the provisions of section 11 (d) of the act should be approved for the purpose of effectuating the order of the Commission of August 22, 1942, directing that the existence of American be terminated and that said company be dissolved, and, if proposed by the Commission, what the terms and provisions of such plan should be.

It is further ordered, That jurisdiction be reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these proceedings or to consolidate with these proceedings other filings or matters pertaining to the subject matter of these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

It is further ordered, That notice of this hearing be given to Bond and Share, American, and to all other persons, said notice to be given by registered mail to Bond and Share, American, Florida Power & Light Company, Kansas Gas and Electric Company, Minnesota Power & Light Company, The Montana Power Company, Northwestern Electric Company, Pacific Power & Light Company, Portland Gas & Coke Company, Superior Water, Light and Power Company, Texas Electric Service Company, Texas Power & Light Company, Texas Public Utilities Corporation, The Washington Water Power Company, to the attorneys of record in the legal proceedings specifically enumerated in the plan filed by Bond and Share and American involving claims of the kind sought to be compromised, settled, and discharged by said plan, and to all other persons by publication in the FEDERAL REGISTER; and

It is further ordered, That American shall give notice of this hearing to all its security holders (insofar as the identity of such security holders is known or available to it) by mailing to each of said persons a copy of this notice and order for hearing at least 15 days prior to the date of this hearing.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 46-17270; Filed, Sept. 25, 1946;
9:00 a. m.]

[File No. 70-1290]

GENERAL PUBLIC UTILITIES CORP.

ORDER GRANTING REHEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of September 1946.

General Public Utilities Corporation ("GPU"), a registered holding company, having filed a declaration, as amended, as to which section 6 (a), 7 and 12 (c) of the Public Utility Holding Company Act of 1935 ("Act") are applicable, with respect to its issuance and sale of unsecured promissory notes in an aggregate principal amount not to exceed \$6,250,000, and the redemption, from the proceeds of such notes, plus treasury cash, of its outstanding 4¼% convertible debentures due January 1, 1956 ("convertible debentures"); and

A hearing having been held with respect to the proposed transactions and the Commission having, on August 30, 1946, permitted the declaration, as amended, to become effective subject to the condition that the redemption by

GPU of its convertible debentures be effected in such a manner as to preserve for the holders of the Eight Year 8% Gold Bonds due 1940 of Associated Gas and Electric Corporation ("8's of 40") not exchanged for convertible debentures upon the close of business of the day upon which the conversion privilege terminates, the amount (less any expenses incurred in satisfying this condition) which they might have realized on said day by virtue of the conversion right to which they would have been entitled as holders of convertible debentures, or otherwise to assure to such holders of the 8's of 40 the benefits of said conversion rights; jurisdiction being reserved to entertain an appropriate amendment; and

Declarant having filed a petition for rehearing and an application for leave to adduce additional evidence with respect to:

1. The volume of the exchanges under the plan of reorganization of Associated Gas and Electric Company ("Ageco") and Associated Gas and Electric Corporation ("Agecorp") since July 17, 1946 by persons who, on that date, were holders of unsundered 8's of 40;

2. The number and analysis, as of a date more recent than July 17, 1946, of the returned letters which were mailed on June 4, 1946 to holders of the unsundered 8's of 40;

3. The fact that additional notices were sent by declarant to its security holders since the closing of the record in this proceeding;

4. The availability to declarant of an extension of the commitment of the proposed bank loan from the proposed lending banks;

5. The willingness of declarant to use registered mail to notify holders of unsundered 8's of 40 of their right to receive the new securities pursuant to the plan of reorganization;

6. The practical difficulties alleged to be involved in the event declarant would attempt to comply with the condition imposed by the Commission; and

7. The provisions of various orders of the Commission and the reorganization court prescribing the form of, and manner of giving, notices to holders of 8's of 40 during the course of the reorganization proceedings of Ageco and Agecorp; and

The Commission having considered the application for rehearing and deeming it advisable in the public interest and the interest of investors that a rehearing be granted:

It is hereby ordered, That a rehearing in the above entitled matter be, and hereby is, granted, under the applicable provisions of said act and the rules of the Commission thereunder, said hearing to be held on the 10th day of October 1946 at 10:00 a. m., E. S. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, before the same hearing officer as heretofore prescribed in said matter.

It is further ordered, That, at said rehearing, testimony may be introduced with respect to such matters as to which declarant desires to adduce additional evidence, and testimony may also be ad-

duced as to any of the findings of fact contained in the Commission's findings and opinion.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-17272; Filed, Sept. 25, 1946;
9:01 a. m.]

[File No. 70-1366]

NY PA NJ UTILITIES CO. ET AL.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of September 1946.

In the matter of NY PA NJ Utilities Company, The Edison Illuminating Company of Easton and Metropolitan Edison Company, File No. 70-1366.

Notice is hereby given that a joint declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by NY PA NJ Utilities Company (NY PA NJ), a registered holding company, Metropolitan Edison Company (Met Ed), a subsidiary of NY PA NJ, and The Edison Illuminating Company of Easton (Edison), a subsidiary of Met Ed; and

Notice is further given that any person may not later than October 4, 1946, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reason for such request and the nature of his interest or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such joint declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said joint declaration, which is on file in the offices of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Met Ed, having recently acquired all the issued and outstanding capital stock of Edison, proposes to merge Edison into itself and to surrender to Edison for cancellation all of the latter's issued and outstanding capital stock. As a result of such transaction Met Ed will acquire all of the franchises and all the property of Edison. Edison has a charter right or primary franchise from the Commonwealth of Pennsylvania to supply electricity to the public in the City of Easton, Pennsylvania, and adjacent territory. Edison's physical property, consisting of overhead and underground electric distribution facilities and a parcel of real estate in the City of Easton, and its franchises are leased to Met Ed under a ninety-nine year lease dated February 1, 1900, as amended. Met Ed is presently operating said property as a part of its own electric system and paying the annual rental provided in the said lease, which is presently at the rate of \$29,244.67 per annum.

NY PA NJ, Met Ed and Edison consider that sections 12 (d) and 12 (f) of the Act and Rules U-42, U-43 and U-44 promulgated thereunder are applicable to the proposed transaction.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-17273; Filed, Sept. 25, 1946;
9:01 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 168 Under 3 (e)]

KELLOGG SWITCHBOARD AND SUPPLY CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.3 (e) of the General Maximum Price Regulation, it is ordered:

(a) *Applicability of this order.* This order applies to all sales of rubber Koiled Dog Leash manufactured by the Kellogg Switchboard and Supply Company, 6650 South Cicero Avenue, Chicago, Illinois.

(b) *Maximum prices.* The maximum prices for sales of the commodity described in paragraph (a) of this order, are as follows:

Manufacturers' maximum prices

List.....	\$7.20 each.
To wholesalers.....	50-10 percent off list.
To retailers.....	40-10 percent off list.

The above prices are subject to a cash discount of 2/10 days/net 30 and freight terms of f. o. b. plant.

Resellers' maximum net prices

	Each
To retailers.....	\$3.89
At retail.....	7.20

(c) With or prior to the first delivery of the Koiled Dog Leash described in paragraph (a) of this order to a wholesaler or retailer, the seller shall give the purchaser a written notice of the maximum retail price applicable thereto. If the purchaser is a wholesaler, the notification shall include the maximum retail price and a statement that such wholesaler is required by this order to notify any retailer to whom he sells of the maximum retail price.

(d) All provisions of the General Maximum Price Regulation that are not inconsistent with this order shall apply to sales covered by this order.

(e) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective September 26, 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 168
UNDER SECTION 1499.3 (e) OF THE GENERAL MAXIMUM PRICE REGULATION

This order, issued under § 1499.3 (e) of the General Maximum Price Regulation, establishes maximum prices at all levels for sales of rubber Koiled Dog Leash, manufactured by the Kellogg

Switchboard and Supply Company, 6650 South Cicero Avenue, Chicago, Illinois.

This rubber dog leash is not the same or similar to any commodity produced, or delivered, or offered for delivery during March 1942, nor is it comparable to any other products of this manufacturer within the meaning of § 1499.3 (b) (1) of the General Maximum Price Regulation. Therefore, the manufacturer's maximum prices for the rubber dog leash cannot be established under § 1499.2 or § 1499.3 (b) (1) of the General Maximum Price Regulation, but must be established by specific authorization of the Office of Price Administration.

It is desirable that uniform maximum prices be established for sales at the wholesale and retail levels (as well as for sales by the manufacturer). Otherwise, each wholesaler and retailer who sells this item will be required to establish his maximum price for each district in which he sells, under § 1499.3 of the General Maximum Price Regulation. If this procedure is followed, sellers of the same class would probably have varying prices, some of which might be inconsistent with the general level of maximum prices established under the regulation. Accordingly, this order establishes uniform maximum prices for sales at all levels.

It is desirable that each person who sells this rubber dog leash to resellers be required to notify each reseller in writing of the maximum price applicable to the reseller's sales, as established by this order. This is the most practical way of informing each seller at succeeding levels of sale of the applicable maximum price for his resale, and of securing effective price control. Accordingly, such notice is required by this order.

The maximum manufacturer's prices established by this order are consistent with the level of prices of similar commodities established by this regulation.

The maximum wholesale and retail prices established by this order will permit these sellers to obtain margins for this commodity which are enjoyed by such sellers on similar types of commodities.

In the opinion of the Administrator, the maximum prices established at all levels by this order are consistent with those established for comparable commodities, are generally fair and equitable, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive orders of the President.

[F. R. Doc. 46-17393; Filed, Sept. 25, 1946; 8:57 a. m.]

[MPR 120, Amdt. 4 to Order 1290]

BITUMINOUS COAL IN DISTRICT 3

CONSOLIDATION OF ADJUSTMENTS FOR INDIVIDUAL MINES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1290 under Maximum Price Regulation No. 120 is hereby amended in the following respects:

The maximum prices established in paragraph (a) for Scott No. 2 Mine, Mine

Index No. 136, and all references thereto, are deleted.

This amendment shall become effective September 30, 1946.

Issued this 25th day of September 1946.

GEOFFREY BAKER,
Acting Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 4 TO ORDER NO. 1290 UNDER MAXIMUM PRICE REGULATION NO. 120

The accompanying amendment revokes the maximum prices now applicable to Scott No. 2 Mine of the Bethlehem Fairmont Coal Company, Inc., Flemington, West Virginia. Such action has been taken in view of the fact that a recent review of the cost and realization data for this mine has disclosed that the representative cost of production no longer exceeds the potential realization from the sale of the applicant's coal. Since this is the only basis for the relief originally granted, the adjusted maximum prices must be revoked and the applicant's maximum prices shall hereafter be determined by the schedule of maximum prices for District No. 3 as set forth in Maximum Price Regulation No. 120.

[F. R. Doc. 46-17394; Filed, Sept. 25, 1946; 8:57 a. m.]

[MPR 120, Amdt. 7 to Rev. Order 1438]

ALLEGHENY RIVER MINING CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.212 (c) (2) of Maximum Price Regulation No. 120; *It is ordered:*

Revised Order No. 1438 under Maximum Price Regulation No. 120 is hereby amended in the following respects:

Paragraph (a) is amended by adding thereto the following in the manner indicated:

Producer and address	Mine index number	Location and name of preparation plant through which the coals are prepared
Rochester & Pittsburgh Coal Co., Indiana, Pa.	292	Lucerne Mine Preparation Plant of the Rochester & Pittsburgh Coal Co. at Homer City, Pa., on P. R. R. & B. & O.
The Nugent Mining Co., Du Bois, Pa.	1657	Nugent Mining Co. Preparation Plant, 2 miles south of Brockway Pa., on P. R. R.

This Amendment No. 7 to Revised Order No. 1438 under Maximum Price Regulation No. 120 shall become effective September 26, 1946.

Issued this 25th day of September, 1946.

GEOFFREY BAKER,
Acting Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 7 TO REVISED ORDER NO. 1438 UNDER MAXIMUM PRICE REGULATION NO. 120

Rochester & Pittsburgh Coal Company, Indiana, Pennsylvania, and The Nugent

Mining Company, Du Bois, Pennsylvania, both producing strip-mined coal from their Lucerne No. 5 and Nugent No. 3 Mines, respectively, Mine Index Nos. 5849 and 5278, respectively, filed applications pursuant to § 1340.212 (c) (2) of Maximum Price Regulation No. 120, requesting permission to charge deep-mine prices for strip-mined coal when blended with 25% or more of deep-mined coal, and prepared at their preparation plants at Homer City and Brockway, Pennsylvania, respectively, both in District No. 1.

It appears that applicants' strip-mined coal receives thorough cleaning and hand-picking at the said preparation plants and that it is such that it can be prepared to a standard of general acceptability in the coal-consuming market.

It further appears that applicants' strip-mined coal is blended in preparation with not less than 25% deep-mined coal at the said preparation plants.

The applicants qualify therefore for the requested relief under the provisions of said § 1340.212 (c) (2), since the above mentioned strip-mined coals produced in District No. 1 are cleaned and prepared in accordance with said § 1340.212 (c) (2) and blended in preparation with not less than 25% deep-mined coal at the above mentioned preparation plants, which are operated as adjuncts of Mine Index No. 292 in the case of Rochester & Pittsburgh Coal Company and Mine Index No. 1657 in the case of The Nugent Mining Company, both of which are in District No. 1. Accordingly, this revised order is being further amended to include applicants' blended mixture of prepared strip-mined and deep-mined coal.

[F. R. Doc. 46-17395; Filed, Sept. 25, 1946; 8:57 a. m.]

[MPR 120, Order 1748]

MITCHEL COMBS ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel, are in cents per net ton f. o. b. rail shipping point. In cases

where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping

point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

MITCHEL COMBS, AYAWAN, KY., MITCHEL COMBS MINE, HAZARD NO. 7 SEAM, MINE INDEX NO. 7849, PERRY COUNTY, KY., SUBDISTRICT 3, RAIL SHIPPING POINT: FEETHAM, KY., F. O. G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	
Price classification.....	M	M	M	M	M	M	L	J	G	J	D	H	H	H	
Rail shipment.....	411	411	406	406	381	376	371	361	361	401	361	356	346	341	
Railroad fuel.....	411	411	406	406	381	376	371	371	371	401	361	356	346	341	
Truck shipment.....	441	421	396	396	381	356	321	316							

HOLT COAL CO., SHIRPLES, W. VA., HOLT MINE, ALMA SEAM, MINE INDEX NO. 7853, BOONE COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT: JEFFERY, W. VA., F. O. G. 123, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Q	Q	Q	Q	L	L	K	H	F	H	E	J	J	J	
Price classification.....	Q	Q	Q	Q	L	L	K	H	F	H	E	J	J	J	
Rail shipment.....	391	386	381	381	381	381	371	366	366	401	361	356	346	341	
Railroad fuel.....	391	386	381	381	381	381	371	371	371	401	361	356	346	341	
Truck shipment.....	441	421	396	396	381	356	321	316							

JOHNSON & BENNETT COAL CO., QUICK, W. VA., PRINCESS MINE, NO. 5 BLOCK SEAM, MINE INDEX NO. 7840, KANAWHA COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT: QUICK, W. VA., F. O. G. 127, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

	Q	Q	Q	Q	P	P	O	M	K	M	F	M	M	M	
Price classification.....	Q	Q	Q	Q	P	P	O	M	K	M	F	M	M	M	
Rail shipment.....	391	386	381	381	366	361	356	356	351	401	356	326	321	316	
Railroad fuel.....	391	386	381	381	371	371	371	371	371	401	356	326	321	316	
Truck shipment.....	451	431	401	411	381	366	321	316							

NEW ALMA COAL CO., McCAER, KY., NEW ALMA NO. 2 MINE, THACKER SEAM, MINE INDEX NO. 7793, PIRK COUNTY, KY., SUBDISTRICT 8, RAIL SHIPPING POINT: NAMPA, KY., F. O. G. 130, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	M	M	M	M	L	L	K	H	F	H	D	F	F	F	
Price classification.....	M	M	M	M	L	L	K	H	F	H	D	F	F	F	
Rail shipment.....	411	411	406	406	381	381	371	366	366	401	361	356	351	351	
Railroad fuel.....	411	411	406	406	381	381	371	371	371	401	361	356	351	351	
Truck shipment.....	441	421	396	396	381	356	321	316							

SHELTON & CONDUFF COAL CO., JEFFERY, W. VA., SHELTON MINE, ALMA SEAM, MINE INDEX NO. 7845, BOONE COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT: CLOTHIER, W. VA., F. O. G. 123, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Q	Q	Q	Q	L	L	K	H	F	H	E	J	J	J	
Price classification.....	Q	Q	Q	Q	L	L	K	H	F	H	E	J	J	J	
Rail shipment.....	391	386	381	381	381	381	371	366	366	401	361	356	346	341	
Railroad fuel.....	391	386	381	381	381	381	371	371	371	401	361	356	346	341	
Truck shipment.....	441	421	396	396	381	356	321	316							

STONE BRANCH DOMESTIC COAL CO., BIG CREEK, W. VA., STONE BRANCH NO. 1 MINE, ALMA SEAM, MINE INDEX NO. 7848, LOGAN COUNTY, W. VA., SUBDISTRICT 5, RAIL SHIPPING POINT: BIG CREEK, W. VA., F. O. G. 130, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Q	Q	Q	Q	L	L	K	H	F	H	E	K	K	K	
Price classification.....	Q	Q	Q	Q	L	L	K	H	F	H	E	K	K	K	
Rail shipment.....	391	386	381	381	381	381	371	366	366	401	361	346	341	341	
Railroad fuel.....	391	386	381	381	381	381	371	371	371	401	361	346	341	341	
Truck shipment.....	441	421	396	396	381	356	321	316							

NEELY WEBB, RED ASH, VA., MILL BRANCH NO. 1 MINE, CARY SEAM, MINE INDEX NO. 7852, BUCHANAN COUNTY, VA., SUBDISTRICT 9, RAIL SHIPPING POINT: RAVEN, VA., F. O. G. 21, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 6

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification.....	C	C	D	D	D	C	C	H	H	H
Rail shipment.....	451	461	436	396	381	431	376	356	351	346
Railroad fuel.....	451	461	436	396	381	431	376	356	351	346
Truck shipment.....	496	496	491	441	471	406	346	341		

Railroad locomotive fuel: Index No. 7852

Any single-screened lump or double-screened coals.....	421
Run of mine.....	406
Screenings, larger than 1 1/4" x 0 but not exceeding 2 1/4" x 0.....	391
Screenings 1 1/4" x 0 and smaller.....	366

This order shall become effective September 26, 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 1748
UNDER MAXIMUM PRICE REGULATION NO. 120

The order which this opinion accompanies establishes maximum prices and

price classifications and assigns mine index numbers to mines in District No. 8 which had not been classified and numbered by the former Bituminous Coal Division. This is done in accordance with § 1340.210 (a) (6) of the Regulation which provides for this action.

Under this section, a producer is required to file an application for maximum prices and classifications based upon those of the nearest mine in the same or substantially similar seams.

Generally the producer requests the prices and classification he deems proper.

This application was then submitted to the industry advisory committee for District No. 8. The prices and classifications established are those recommended by the committee and those requested by the applicants, if a request was made, and are fair and equitable.

[F. R. Doc. 46-17397; Filed, Sept. 25, 1946; 8:59 a. m.]

[RMFR 122, Amdt. 6 to 2d Rev. Order 47]

SOLID FUELS IN WASHINGTON, D. C., METROPOLITAN AREA

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.260 of Revised Maximum Price Regulation No. 122, *It is ordered*, That 2d Revised Order No. 47 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

1. Paragraph (C), *Price Schedule I—Sales on a "Direct Delivery" basis*, is amended to read as follows:

(C) *Price Schedule I—Sales on a "Direct Delivery" Basis.* (1) Price Schedule I sets forth maximum prices for retail sales of specified sizes, kinds and quantities of solid fuels delivered to consumers at any point in the Washington, D. C., Metropolitan Area. Deliveries of the fuels for which maximum prices for yard sales to consumers* in 50 to 500 pound quantities are specified in paragraph (D) may be made at the maximum price specified for such quantities of the fuel plus 5 cents for each bag or basket containing not less than 50 pounds.

Kind and size	Per ton net, 2,000 pounds	Per 1/2 ton net, 1,000 pounds
Pennsylvania anthracite:		
Egg, stove, nut.....	\$16.10	\$8.55
Pea.....	14.10	7.55
Buckwheat No. 1.....	11.56	6.28
Rice (buckwheat No. 2).....	10.60	5.80
Barley (buckwheat No. 3).....	9.12	5.06
Virginia anthracite:		
Produced by Superior Anthracite Mines, Inc.:		
Egg, stove, nut.....	12.30	6.65
Pea.....	10.49	5.75
Buckwheat No. 1.....	8.71	4.86
Produced by Great Valley Anthracite Coal Corp.:		
Egg, stove, nut.....	13.10	7.05
Pea.....	11.04	6.02
Buckwheat No. 1.....	9.46	5.23
High-volatile bituminous coal from districts Nos. 1, 2, 3, 7, and 8:		
Egg, stove, nut.....	9.71	5.36
Domestic run-of-mine.....	8.82	4.91
Low-volatile bituminous coal from district No. 8:		
Domestic run-of-mine.....	9.33	5.17
Domestic run-of-mine in quantities of 2 tons or less.....	9.86	5.17
Low-volatile bituminous coal from district No. 7:		
Egg.....	12.23	6.66
Stove.....	12.06	6.53
Nut.....	11.12	6.06
Specially prepared mixture of pea, stove, and nut coal, sold for hot-water heating.....	10.60	5.80
Pea.....	9.54	5.27
Domestic run-of-mine.....	9.65	5.33
Domestic run-of-mine in quantities of 2 tons or less.....	10.18	5.33
Nut and slack.....	9.11	5.06

Kind and size	Per ton	
	net, 2,000 pounds	ton net, 1,000 pounds
Low- and medium-volatile bituminous coal from district No. 1 or district No. 3 in price classification A:		
Egg	\$10.73	\$5.87
Stove	10.47	5.74
1 1/4" to 2 1/4" lump	9.54	5.27
Domestic run-of-mine	9.03	5.02
Domestic run-of-mine in quantities of 2 tons or less	9.41	5.02
Nut and slack	8.92	4.96
Briquettes:		
Glen Rogers briquettes	11.86	6.43
Berwind briquettes	12.03	6.52
Ambricoal	12.26	6.63
Cannel coal from district No. 8, lump	16.35	8.68
Splint coal from district No. 8, lump	13.67	7.34
Coke	15.73	8.37
Reclaimed coke:		
Nut	12.68	6.84
Pea	10.93	5.97

(2) *Maximum authorized service charges.* If the buyer requests such service of him, the dealer may, upon rendering such service, or where it is rendered by an independent serviceman to whom the dealer advances payment for the service, charge an amount not in excess of 90 cents per net ton for carry or wheel service, except that no service charge may be made on deliveries of less than one-quarter ton or of any quantity of bagged coal.

2. Paragraph (D), *Price Schedule II—"Yard Sales,"* is amended to read as follows:

(D) *Price Schedule II—"Yard Sales."* Price Schedule II sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels delivered at the yard of any dealer in the Washington, D. C., Metropolitan Area. The first column of prices applies to yard sales to consumers and the last column of prices applies to yard sales to dealers. The second column of consumer prices applies to yard sales of fuels measured in bags or baskets containing not less than 50 pounds; but this column of prices shall not apply to sales of more than 500 pounds.

Kind and size	Consumer prices		Dealer prices, net ton, 2,000 pounds
	Net ton 2,000 pounds	Per 100 pounds	
Pennsylvania anthracite:			
Egg, stove, nut	\$15.21	\$1.00	\$13.52
Pea	13.21	.92	11.57
Buckwheat No. 1	10.67	—	9.12
Rice (buckwheat No. 2)	9.71	—	8.11
Barley (buckwheat No. 3)	—	—	7.61
Virginia anthracite:			
Produced by Superior Anthracite Mines, Inc.:			
Egg, stove, nut	11.40	.79	9.76
Pea	9.60	.71	8.09
Buckwheat No. 1	7.62	—	6.49
Produced by Great Valley Anthracite Coal Corp.:			
Egg, stove, nut	12.20	.79	10.50
Pea	10.15	.71	8.64
Buckwheat No. 1	8.57	—	7.24
High-volatile bituminous coal from districts Nos. 1, 2, 3, 7, or 8:			
Egg, stove, nut	8.82	.71	7.33
Domestic run-of-mine	8.06	.70	7.29
Low-volatile bituminous coal from district No. 8, domestic run-of-mine	8.43	.75	7.97

Kind and size	Consumer prices		Dealer prices, net ton, 2,000 pounds
	Net ton 2,000 pounds	Per 100 pounds	
Low volatile bituminous coal from district No. 7:			
Egg	\$11.34	\$0.83	\$9.77
Stove	11.16	.83	9.63
Nut	10.22	.78	8.74
Specialty prepared mixture of pea, stove and nut coal, sold for hot-water heating	9.70	—	8.85
Pea	8.65	.73	8.23
Domestic run-of-mine	8.75	.75	8.29
Nut and slack	8.22	—	7.71
Low and medium volatile bituminous coal from district No. 1 or from district No. 3 in price classification A:			
Egg	9.86	.77	8.51
Stove	9.59	.77	8.28
1 1/4" to 2 1/4" lump	8.67	—	7.76
Domestic run-of-mine	8.16	.72	7.52
Nut and slack	—	—	7.52
Briquettes:			
Glen Rogers briquettes	10.97	—	—
Berwind briquettes	11.14	—	—
Ambricoal	11.87	—	—
Cannel coal from district No. 8, lump	15.46	—	—
Splint coal from district No. 8, lump	12.76	—	—
Coke	14.73	—	13.53
Reclaimed coke:			
Nut	11.68	—	10.48
Pea	9.93	.80	8.73

3. Paragraph (E), *Price Schedule III—Bagged Coal*, is amended to read as follows:

(E) *Price Schedule III—Bagged Coal.* Price Schedule III sets forth maximum per bag prices for sales made at or to any point in the Washington, D. C., Metropolitan Area of coal in paper bags of 15 pounds each. These are prices for the nut size.

(1) *"Direct Delivery" sales to persons reselling bagged coal.*

Pennsylvania anthracite	\$0.16
Virginia Anthracite	.13
Bituminous coal	.12

The prices for direct delivery sales to persons reselling bagged coal shall be reduced by one cent, respectively, when sales of the same bagged coals are made at the dealer's yard to persons reselling bagged coal.

(2) *"Sales to consumers not made at a yard."*

Pennsylvania anthracite	\$0.19
Virginia anthracite	.16
Bituminous coal	.15

The prices for "sales to consumers not made at a yard" shall be reduced by one cent when sales of the same bagged coals are made to consumers at the dealer's yard.

4. Paragraph (F), *Price Schedule IV—Alexandria, Virginia*, is amended to read as follows:

(F) *Price Schedule IV—Alexandria, Virginia.* Price Schedule IV sets forth maximum prices for "direct delivery" sales to consumers in Alexandria, Virginia and for sales made at the yard of any dealer in Alexandria, Virginia. These prices are for sales of net tons (2000 pounds) when payment is not made by the buyer within 15 days after receipt of the fuel.

If cash payment is made by the buyer within 15 days after receipt of the fuel,

the maximum prices set forth shall be reduced by 50 cents per ton or by 25 cents per half-ton, which reduction is a "cash discount".

If delivery is made to a non-domestic buyer taking deliveries of 25 or more tons per annum at one point, the maximum prices set forth shall be reduced by 50 cents per ton or by 25 cents per half-ton and, if cash payment is made, also by the "cash discount".

If delivery is made at the dealer's yard, the maximum prices set forth shall be reduced by \$1.00 per ton or by 50 cents per half-ton and, if cash payment is made, also by the "cash discount".

If the buyer requests such service of him, the dealer may charge no more than 50 cents per ton for "carry" or "wheel" service except that no service charge may be made on sales of less than one-quarter ton or of any quantity of bagged coal. This provision applies only when the dealer renders the service.

Kind and size	Quantity	
	Per ton	Per 1/2 ton
Pennsylvania anthracite:		
Egg, stove, nut	\$16.58	\$8.79
Pea	14.73	7.87
Buckwheat No. 1	12.08	6.54
Rice (buckwheat No. 2)	11.28	6.14
Low-volatile bituminous coal from district No. 7 (or Pocahontas or New River):		
Egg	12.69	6.85
Stove	12.54	6.77
Nut	11.34	6.17
Pea	10.24	5.62
Domestic run-of-mine	10.14	5.57
3/4" slack	9.74	5.37
Low volatile bituminous coal from district No. 8, egg and stove	12.22	6.61
High-volatile bituminous coal from district No. 8:		
Block	12.32	6.66
Egg (larger than 5" by 2")	10.22	5.61
Stove	10.17	5.59
Nut	10.42	5.71
Screenings (larger than 3/4" by 0)	8.97	4.99
Cannel coal from district No. 8	16.86	8.94
Coke	16.23	8.62
Reclaimed coke:		
Nut	13.18	7.09
Pea	11.43	6.22

5. A new sentence is added to Paragraph (T) to read as follows: "The increases in maximum prices granted by Amendments Nos. 46 and 48 to Revised Maximum Price Regulation No. 122 are included in the maximum prices set forth in this order, and may not, therefore, be added to the maximum prices herein."

This amendment shall become effective September 26, 1946.

Issued this 25th day of September, 1946.

GEOFFREY BAKER,
Acting Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 6 TO 2D REVISED ORDER NO. 47 UNDER REVISED MAXIMUM PRICE REGULATION NO. 122

On July 26, 1946, Amendment No. 46 to Revised Maximum Price Regulation No. 122 was issued, and became effective as of that date. The amendment granted permission to add to maximum prices the railroad freight rate increases incurred as a result of the Interstate Commerce Commission's interim order on Docket *Ex Parte* 162. As a result of this action, it is now necessary to in-

crease the maximum prices set forth in certain area ceiling orders issued under Regulation 122, for the convenience of dealers subject to such orders. This is the case with second Revised Order No. 47, and for this reason the accompanying amendment is being issued.

In addition, Amendment No. 48 to Revised Maximum Price Regulation No. 122, issued and made effective August 22, 1946, granted certain increases in the maximum prices applicable to dealers. Section 2 (t) of the Price Control Extension Act of 1946 requires that the maximum prices established for wholesale or retail distributors "allow the average current cost of acquisition of any commodity, plus such average percentage discount or mark-up as was in effect on March 31, 1946." Thus, the said Amendment 48 effected the necessary increases, which are now being reflected in area Order No. 47 by the accompanying amendment. The action taken includes relief on sales of 100 lbs. lots at the yard.

The amendment also makes provision for yard sales of bagged coal to consumers; and since a primary wholesaler no longer bags for other wholesalers, the present maximum prices for "Yard Sales" to consumers are deleted from section III (1) of the order. In accordance with Amendment No. 4 to Order No. 47, a provision is now inserted for

a reduction of one cent in the price on sales to consumers not made at a yard when sales of the same bagged coal are made to consumers at the dealer's yard.

In addition to the foregoing, the maximum prices for Berwind briquettes have been adjusted after examination and consideration of an application setting forth increased costs resulting from the increases made in the prices of coal. This action is taken pursuant to the adjustment § 1340.260 of Regulation 122.

[F. R. Doc. 46-17398; Filed, Sept. 25, 1946; 8:59 a. m.]

[MPR 120, Amdt. 8 to Order 1716]

EDWARD TOMAJKO ET AL.

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.213 (d) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1716 under Maximum Price Regulation No. 120 is hereby amended in the following respects:

Paragraph (a) is amended by adding thereto the following name of the producer, address, mine name and index number, and preparation plant as follows:

Producer and address	Mine name	Mine index number	Location and name of preparation plant through which the coals are prepared
August Schlegel, Clinton, Pa.	Schlegel No. 2 and No. 3	4025 and 4050	Schlegel Mine Preparation Plant at Eastern Border of Clinton, Pa.

This Amendment No. 8 to Order No. 1716 under Maximum Price Regulation No. 120 shall become effective September 26, 1946.

Issued this 25th day of September 1946.

GEOFFREY BAKER,
Acting Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 8 TO ORDER NO. 1716 UNDER MAXIMUM PRICE REGULATION NO. 120

August Schlegel, Clinton, Pennsylvania, filed application pursuant to § 1340.213 (d) of Maximum Price Regulation No. 120, requesting that his maximum prices for strip-mined coal, produced at his Schlegel No. 2 and No. 3 Mines, Mine Index Numbers 4025 & 4050, respectively, and prepared at his preparation plant at Clinton, Pennsylvania, in District No. 2, be increased 61¢ per net ton for coals delivered by all methods of transportation except truck or wagon shipment and 36¢ per net ton for truck or wagon shipment.

It appears that the applicant's strip-mined coals receives thorough cleaning and hand-picking at his preparation plant and they are such that it can be prepared to a standard of general acceptability in the coal-consuming market.

The applicant qualifies, therefore for the requested relief under the provisions of said § 1340.213 (d). All mines of

District No. 2, qualifying for an increase of 61¢ per net ton for prepared strip-mined coal delivered by all methods of transportation except truck or wagon shipment and 36¢ per net ton for truck or wagon shipment under the provisions of § 1340.213 (d) of Maximum Price Regulation No. 120, have been grouped together by Order No. 1716, as amended, under Maximum Price Regulation No. 120. Accordingly, this order is being further amended to include applicant's strip-mined coals.

[F. R. Doc. 46-17396; Filed, Sept. 25, 1946; 8:58 a. m.]

[MPR 188, Rev. Order 3917]

AJAX WOODWORK CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Ajax Woodwork Co., Inc., 4455 Bronx Boulevard, Bronx, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from their own stock	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
Bookcase...	1	Each \$3.06	Each \$3.25	Each \$3.82
	2	4.73	5.03	5.92
	3	3.86	4.10	4.82
	4	5.50	5.85	6.88
	5	3.43	3.65	4.29
	6	4.50	4.78	5.62
	7	5.19	5.62	6.49
	8	3.06	3.25	3.82
	24	3.13	3.33	3.92
	2836	5.41	5.75	6.76
Night table.	400	3.67	3.90	4.59
	401	4.30	4.57	5.37
	402	4.30	4.57	5.37
	403	4.27	4.53	5.33
	404	5.61	5.96	7.01
	405	5.02	5.33	6.27

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated February 21, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since the effective date of Maximum Price Regulation No. 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of September 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING REVISED ORDER NO. 3917 UNDER § 1499.158 OF MAXIMUM PRICE REGULATION NO. 188

In a formal protest dated May 21, 1946, Ajax Woodwork Co., Inc., 4455 Bronx Boulevard, Bronx, New York, herein called the Applicant, requested the Office

of Price Administration to revise the prices established by Order No. 3917, dated June 5, 1945, for sales of certain articles of furniture which it manufactures. The prices established by that order were stated to be based on a comparison of the articles to be priced with comparable articles produced by other manufacturers.

It now appears that the articles used in the above comparison were not truly comparable. Accordingly, it has been necessary to reconsider the applicant's request under the Fourth Pricing Method, § 1499.158, and to establish new maximum prices, based upon a new comparison of the applicant's articles with more comparable articles produced by other manufacturers. The prices established by Revised Order No. 3917 are in line with the maximum prices of those more comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

[F. R. Doc. 46-17399; Filed, Sept. 25, 1946; 8:59 a. m.]

[MPR 188, Order 5195]

MORRIS GREENSPAN, SPECIAL
APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Morris Greenspan, Special, 50 Howard Street, New York 13, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Hand-sewn rayon table lamp shade with braid trim	(200-15") (201-16")	Each \$3.40	Each \$4.00	Each \$7.20

These maximum prices are for the articles described in the manufacturer's application dated September 5, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. New York 13, New York, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling-price inserted in the blank spaces:

Model Number -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 26th day of September 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 5195
UNDER SECTION 1499.158 OF MAXIMUM
PRICE REGULATION NO. 188

By application dated September 5, 1946, Morris Greenspan, Special, 50 Howard Street, New York 13, New York, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamp shades which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the Regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers mark-ups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-17400; Filed, Sept. 25, 1946; 9:00 a. m.]

[MPR 188, Order 5196]

WILLOW LAMP CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Willow Lamp Company, 105 East Houston Street, New York 2, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Hand-cut crystal boudoir lamp with hand-tailored rayon shade	B-1011	Each \$5.52	Each \$6.50	Each \$11.70
Hand-cut crystal table lamp with hand-tailored rayon shade	T-1012	7.22	8.50	15.30
Hand-cut crystal table lamp with plated metal mounting and hand-tailored rayon shade	T-1013	9.14	10.75	19.35
Hand-cut crystal table lamp with silver-plated breaks and hand-tailored rayon shade	T-1025	12.75	15.00	27.00
Hand-cut and colored crystal table lamp with gold-plated metal mounting and hand-tailored rayon shade	T-1026	18.70	22.00	39.60
Hand-cut crystal table lamp with metal and crystal mounting and hand-tailored rayon shade	T-1027	24.65	29.00	52.20

These maximum prices are for the articles described in the manufacturer's application dated September 10, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. New York, New York, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary

terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 26th day of September 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 5196
UNDER SECTION 1499.158 OF MAXIMUM
PRICE REGULATION NO. 188

By application dated September 10, 1946, Willow Lamp Company, 105 East Houston Street, New York 2, New York, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps and shades which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the Regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices estab-

lished by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers mark-ups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-17401; Filed, Sept. 25, 1946;
9:00 a. m.]

[MPR 188, Order 5197]

THE LIBERTY LIGHT CO. INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Liberty Light Company, Inc., 2300 Central Avenue, Union City, New Jersey.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Bronze crackle finish metal fluorescent bed lamp with ballast plug.....	L-765	Each \$3.40	Each \$4.00	Each \$7.20
Bronze crackle finish metal fluorescent desk lamp.....	L-945	5.53	6.50	11.70

These maximum prices are for the articles described in the manufacturer's application dated July 30, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Union City, New Jersey, 2% for 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment

of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 26th day of September 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 5197
UNDER SECTION 1499.158 OF MAXIMUM
PRICE REGULATION NO. 188

By application dated July 30, 1946, The Liberty Light Company, Inc., 2300 Central Avenue, Union City, New Jersey, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the Regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the

sellers mark-ups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-17402; Filed, Sept. 25, 1946; 9:00 a. m.]

[MPR 188, Order 5198]

KOOTA LIGHTING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Koota Lighting Company, 162 Sands Street, Brooklyn 1, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Hand Cut Crystal hurricane lamp cut prisms.	112	Each \$31.88	Each \$37.50	Each \$67.50
Hand decorated china table lamp with brass filigree mounting and triple ruching trimmed silk shade.		809 21.25	25.00	45.00

These maximum prices are for the articles described in the manufacturer's application dated July 27, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Brooklyn 1, New York, 2%, 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 26th day of September 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 5198 UNDER SECTION 1499.158 OF MAXIMUM PRICE REGULATION NO. 188

By application dated July 27, 1946, Koota Lighting Company, 162 Sands Street, Brooklyn 1, New York, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the Regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-17403; Filed, Sept. 25, 1946; 8:52 a. m.]

[MPR 183, Order 5199]

RELLIM PRODUCTION SPECIALTIES
APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,

and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Rellim Production Specialties, 4411 N. Kimball Ave., Chicago 25, Illinois.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Decorated china boudoir lamp with plated metal base and shade.	B-1....	Each \$3.61	Each \$4.25	Each \$7.65
Glass boudoir lamp and plastic shade.	G-1....	3.19	3.75	6.75
Tenite table lamp with plated metal mounting and shade.	G-2....			
Crystal table lamp and rayon shade.	G-3....			
Wood table lamp and custom made shade (mahogany, walnut, whitewood).	PM-1....	3.40	4.00	7.20
Plated-metal figurine table lamp and shade.	G-4....	6.59	7.75	13.95
Plated-metal boudoir lamp and shade.	W-1....	16.13	18.98	34.16
Decorated china table lamp and rayon shade.	M-5....	4.04	4.75	8.55
Decorated china table lamp with plated metal mounting and rayon shade.	M-6....	3.19	3.75	6.75
Decorated china table lamp and rayon shade.	105-C....	6.37	7.50	13.50
Decorated china table lamp with plated metal mounting and rayon shade.	105-B....	7.44	8.75	15.75

These maximum prices are for the articles described in the manufacturer's application dated July 30, and August 1, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Chicago 25, Illinois, 2% for 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 26th day of September 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 5199
UNDER SECTION 1499.158 OF MAXIMUM
PRICE REGULATION NO. 188

By application dated July 30, and August 1, 1946, Rellim Productions Specialties, 4411 N. Kimball Avenue, Chicago 25, Illinois, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-17404; Filed, Sept. 25, 1946; 8:52 a. m.]

[MPR 188, Order 5200]

HYDE PARK STUDIOS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal

Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Hyde Park Studios, East Park Road, Hyde Park, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Sculptured metal table lamp with mahogany base and metal shade.	1	Each \$29.33	Each \$34.50	Each \$62.10

These maximum prices are for the articles described in the manufacturer's application dated August 5, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Hyde Park, New York, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 26th day of September 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 5200
UNDER SECTION 1499.158 OF MAXIMUM
PRICE REGULATION NO. 188

By application dated August 5, 1946, Hyde Park Studios, East Park Road, Hyde Park, New York, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the Regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-17405; Filed, Sept. 25, 1946; 8:52 a. m.]

[MPR 188, Order 5201]

ALAMEDA MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Alameda Manufacturing Company, 4415 South Alameda Street, Los Angeles 11, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Natural finish brass table lamp (red bronze or yellow brass) with hand made rayon fabric shade.....	101-S51	Each \$20.83	Each \$24.51	Each \$44.12
Silver plate or oxidized finish brass table lamp with hand made rayon fabric shade.....	102-S51	22.78	26.80	48.24
Natural finish brass table lamp (red bronze or yellow brass) with hand made rayon fabric shade.....	101-S61	20.83	24.51	44.12
Silver plate or oxidized finish brass table lamp with hand made rayon fabric shade.....	102-S61	22.78	26.80	48.24
Natural finish brass table lamp (red bronze or yellow brass) with hand made rayon fabric shade.....	201-B52	15.53	18.27	32.89
Silver plate or oxidized finish brass table lamp with hand made rayon fabric shade.....	202-B52	15.53	18.27	32.89
Natural finish brass table lamp (red bronze or yellow brass) with hand made rayon fabric shade.....	201-D52	18.18	21.39	38.50
Silver plate or oxidized finish brass table lamp with hand made rayon fabric shade.....	202-D52	18.18	21.39	38.50

These maximum prices are for the articles described in the manufacturer's application dated July 30, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Los Angeles 11, California, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the

manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 26th day of September 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 5201
UNDER SECTION 1499.158 OF MAXIMUM
PRICE REGULATION NO. 188

By application dated July 30, 1946, Alameda Manufacturing Company, 4415 South Alameda Street, Los Angeles 11, California, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the Regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers mark-ups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-17406; Filed, Sept. 25, 1946; 8:53 a. m.]

[MPR 188, Order 5202]

ALDOR MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Aldor Manufacturing Co., 2013 Fulton Street, Brooklyn 33, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Decorated opal glass colonial table lamp complete with globe...	1	Each \$5.31	Each \$6.25	Each \$11.25

These maximum prices are for the articles described in the manufacturer's application dated August 13, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Brooklyn 33, New York, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 26th day of September 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 5202
UNDER SECTION 1499.158 OF MAXIMUM
PRICE REGULATION NO. 188

By application dated August 13, 1946, Alder Manufacturing Co., 2013 Fulton Street, Brooklyn 33, New York, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the Regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers mark-ups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-17407; Filed, Sept. 25, 1946; 8:53 a. m.]

[MPR 188, Order 5203]

MERCURY LAMP CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, it is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Mercury Lamp Company, 1569 Nostrand Avenue, Brooklyn 26, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

No. 188—6

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
English Toby mug table lamp with hand made plated metal mounting.....	102, 103	Each \$7.86	Each \$9.25	Each \$16.65
Pottery table lamp with hand made plated metal mounting.....	104	9.73	11.45	20.61
Pottery table lamp with hand made plated metal mounting.....	105	9.31	10.95	19.71

These maximum prices are for the articles described in the manufacturer's application dated July 8, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Brooklyn 26, New York, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 26th day of September 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 5203
UNDER SECTION 1499.158 OF MAXIMUM
PRICE REGULATION NO. 188

By application dated July 8, 1946, Mercury Lamp Company, 1569 Nostrand Avenue, Brooklyn 26, New York, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the Regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-17408; Filed, Sept. 25, 1946; 8:53 a. m.]

[MPR 591, Amdt. 1 to Order 624]

KALAMAZOO STOVE AND FURNACE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, it is ordered:

Order No. 624 under section 9 of Maximum Price Regulation No. 591 is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

The maximum net prices for sales by any person of the following cast iron coal fired furnaces, manufactured by the Kalamazoo Stove and Furnace Company and as described in its application shall be:

Model No.	Delivered on sales to dealers	Delivered on sales to consumer	F. o. b. on sales to department store	F. o. b. on sales to distributors
F 40.....	\$96.43	\$132.05	\$79.23	\$66.03
44.....	98.28	135.88	81.53	67.94
48.....	105.43	147.46	88.45	73.73
52.....	108.99	155.70	93.42	77.85

This amendment shall become effective September 26, 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 1
TO ORDER 624 UNDER SECTION 9 OF MAXI-
MUM PRICE REGULATION NO. 591

The purpose of this amendment is to establish two new classes of purchasers for the Kalamazoo Stove and Furnace Company of Kalamazoo, Michigan for their sales of this particular model. They already sell to these two classes of trade on their other models and the same discounts are used for this model furnace. The amendment also reflects the industry wide increases authorized by Section 5.1 of Order 1 under Maximum Price Regulation No. 591.

In view of the above consideration the Administrator finds that this amendment is necessary and consistent with the purposes and standards of the Emergency Price Control Act of 1942, as amended and Executive Orders of the President.

[F. R. Doc. 46-17412; Filed, Sept. 25, 1946;
8:54 a. m.]

[MPR 188, Order 5204]

ATLANTIC ART LAMP & NOVELTY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Atlantic Art Lamp & Novelty Co., 450 Adelphi Street, Brooklyn 17, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Wrought iron floor lamp.	1018.....	Each \$4.67	Each \$5.50	Each \$9.90
Do.....	1063.....	6.59	7.75	13.95
Do.....	1069.....	4.25	5.00	9.00
Wrought iron pin-up lamp.	1070.....	2.34	2.75	4.95
Wrought iron floor lamp.	1088.....	3.19	3.75	6.75
Do.....	1131-TCA.	7.22	8.50	15.30
Wrought iron table lamp and table frame combination.	1183-X.....	4.67	5.50	9.90

These maximum prices are for the articles described in the manufacturer's application dated July 31, 1946, and August 7, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons

other than consumers they are f. o. b. Brooklyn, New York, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number.....
OPA Retail Ceiling Price—\$.....
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 26th day of September 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 5204
UNDER SECTION 1499.158 OF MAXIMUM
PRICE REGULATION NO. 188

By application dated July 31, and August 7, 1946, Atlantic Art Lamp and Novelty Company, Brooklyn 17, New York, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have

been compared with those of comparable competitive articles for which maximum prices have been properly established under the regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-17409; Filed, Sept. 25, 1946;
8:54 a. m.]

[MPR 188, Order 5205]

STELLAR LAMP CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Stellar Lamp Company, 1344 Myrtle Avenue, Brooklyn 21, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Plated metal table lamp with embossed paper parchment shade.....	M-1	Each \$4.25	Each \$5.00	Each \$9.00
Decorated china vanity lamp, plated metal mounting and silk shade.....	9	5.31	6.25	11.25
Decorated china vanity lamp, plated metal mounting and silk shade.....	15	5.74	6.75	12.15
Decorated china table lamp with silk shade.....	207	10.62	12.50	22.50

These maximum prices are for the articles described in the manufacturer's application dated August 6, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Brooklyn, New York, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices

are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 26th day of September 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 5205
UNDER SECTION 1499.158 OF MAXIMUM
PRICE REGULATION NO. 188

By application dated August 6, 1946, Stellar Lamp Company, 1344 Myrtle Avenue, Brooklyn 21, New York, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum

price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-17410; Filed, Sept. 25, 1946;
8:54 a. m.]

[MPR 188, Order 5206]

REYNOLDS METALS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Reynolds Metals Company, 2500 South Third Street, Louisville 1, Kentucky.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Jobber	Maximum prices for sales by any seller to—		
			Department stores	Other retailers	Consumers
Stainless steel sauce pan, with plastic handle, 1 quart.	Windsor....	Each \$0.72	Each \$0.87	Each \$0.96	Each \$1.45

These maximum prices are for the articles described in the manufacturer's application dated September 4, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the

Office of Price Administration under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$1.45 each
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 26th day of September 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 5206
UNDER SECTION 1499.158 OF MAXIMUM
PRICE REGULATION NO. 188

On September 6, 1946, Reynolds Metals Company, 2500 South Third Street, Louisville 1, Kentucky, applied to the Office of Price Administration for the establishment of maximum prices for sales of stainless steel sauce pans which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the

industry for their types of distributive operations.

[F. R. Doc. 46-17411; Filed, Sept. 25, 1946; 8:54 a. m.]

[MPR 591, Order 834]

HALL-MACK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 834 under section 16 of maximum price regulation No. 591, Docket No. 6123-591.16-290. Hall-Mack Company, Los Angeles, California.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 16 of Maximum Price Regulation No. 591, it is ordered:

(a) *Adjustment of maximum prices for the Hall-Mack Company of Los Angeles, California.* (1) This order permits the Hall-Mack Company of Los Angeles, California to increase by 17.0 percent its properly established maximum net prices in effect on June 30, 1946, to each class of purchaser for its line of chromium plated bathroom accessories.

(2) The maximum net prices set forth in (a) (1) above are subject to discounts, allowances including transportation allowances and the rendition of services which are at least as favorable as those which the Hall-Mack Company extended or rendered or would have extended or rendered to each class of purchasers during March 1942, on comparable sales of chromium plated bathroom accessories.

(b) *Maximum prices for resellers.* (1) All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their properly established maximum prices in effect on June 30, 1946, the percentage increase in cost to them resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The Hall-Mack Company shall send the following notice to every purchaser of the commodities covered by the order at or before the first invoice after the effective date of this order.

Order No. 834 under section 16 of Maximum Price Regulation No. 591 provides for a 17.0 percent increase in maximum net prices in effect on June 30, 1946, for sales by the Hall-Mack Company for its line of chromium plated bathroom accessories.

Resellers (but not manufacturers who purchase these items for use in the manufacture of other products) may add to their existing maximum prices the percentage increase in cost to them resulting from the adjustment granted by Order No. 834.

(d) All requests of the application of the Hall-Mack Company of Los Angeles, California, not herein granted are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective September 26, 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 834 UNDER SECTION 16 OF MAXIMUM PRICE REGULATION NO. 591

The Hall-Mack Company of Los Angeles, California, requested an upward adjustment of its maximum prices for its line of chromium plated bathroom accessories.

Section 16 of Maximum Price Regulation No. 591 provides that any manufacturer whose supply of a commodity could not be replaced if he discontinued production except at a price equal to or higher than his requested adjusted price is eligible for an adjustment within the limits indicated in this section. This permits an adjustment in an amount sufficient to make the adjusted price equal to total cost plus a reasonable net profit.

The Hall-Mack Company of Los Angeles, California, submitted cost and financial data. Such data indicate that its current over-all return on entire company operations is less than total cost. It has been determined that the supply of these products could not be replaced except at prices above these after the adjustment granted by this order.

Accordingly, this order authorizes an adjustment in the applicant's maximum prices which will return the applicant total cost plus a reasonable net profit on its line of chromium plated bathroom accessories.

Controls over the maximum prices of some of the products may have been, or may be suspended in the future by Supplementary Order 129 (Exemption and suspension from price control of machines, parts, industrial materials and services). In that event, the provisions of this order with respect to those items are also suspended during the period of the price control suspension, subject to reinstatement if the former price controls are restored.

Resellers are permitted to increase their existing maximum prices by the percentage increase in cost to them resulting from the increase granted the manufacturer. Thus, resellers will continue to realize the same percentage margin over acquisition cost that they realized previous to the issuance of the accompanying order.

After due consideration of the foregoing, the Price Administrator finds that this action is consistent with the Emergency Price Control Act of 1942, as amended, and the Executive orders of the President.

[F. R. Doc. 46-17413; Filed, Sept. 25, 1946; 8:48 a. m.]

[MPR 591, Order 835]

HEIL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following forced air furnaces manufactured by The Heil Company of

Milwaukee, Wisconsin and as described in its application dated August 12, 1946, shall be:

	On sales to dealers	On sales to distributors	On sales to mail-order houses
Model No. KF-1---	\$306	\$244.48	\$211.35
Model No. KF-2---	323	258.34	214.96
Model No. KF-3---	362	289.25	258.62

(b) The prices in (a) above include all increases to date under section 5.1 of Order No. 1 under Maximum Price Regulation No. 591.

(c) The maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category during March 1942.

(d) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 26, 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 835 UNDER SECTION 9 OF MAXIMUM PRICE REGULATION NO. 591

The accompanying Order No. 835 under section 9 of Maximum Price Regulation No. 591 establishes maximum prices for sales at all levels of distribution for forced air furnaces, manufactured by The Heil Company of Milwaukee, Wisconsin.

These particular commodities were only recently introduced into the market by the manufacturer. Maximum prices for the items could not be established under sections 7 or 8 of Maximum Price Regulation No. 591, because this company had never manufactured comparable commodities. Consequently, maximum prices must be approved pursuant to the provisions of section 9 of Maximum Price Regulation No. 591.

In its application the company submitted its proposed prices for the commodities covered by this order. An analysis of the information submitted indicated that the prices requested are in line with the prices of competitive manufacturers for comparable commodities

and, therefore, are in line with the level of prices established under Maximum Price Regulation No. 591.

In order to avoid any confusion on the part of resellers as to their maximum prices and for the purposes of protecting consumers, the accompanying order establishes dollars-and-cents prices for all levels of distribution. Maximum prices established for resellers reflect the usual margins of such resellers on sales of comparable products.

The commodities manufactured by this company will be distributed by many resellers who may or may not have access to copies of the accompanying order. Therefore, in order to avoid confusion on the part of resellers who do not have access to this order, the order provides that the manufacturer shall notify each of its purchasers of its maximum prices as well as purchasers' maximum resale prices.

[F. R. Doc. 46-17414; Filed, Sept. 25, 1946; 8:49 a. m.]

[MPR 610, Rev. Order 15]

DUPLEX TRUCK CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to sections 8 and 9 of Maximum Price Regulation 610, It is ordered:

Order No. 15 under Maximum Price Regulation 610 is redesignated Revised Order No. 15 and is amended and revised to read as follows:

(a) The Duplex Truck Company, Lansing, Michigan, hereinafter called the Company, is authorized to sell f. o. b. factory each new Duplex truck described in subparagraph (1) below, at a price not to exceed the total of the following charges:

(1) *Charge for the new truck.* A charge for the new truck not to exceed the applicable established price set forth in the following schedule:

Model	Description	Manufacturers price f. o. b. factory
T	Chassis, truck with 56" 2-man cab and one-piece windshield, 18,000 pounds gross vehicle weight, 160" wheelbase, Hercules JXD engine, Fuller 5B33 transmission with overdrive in 5th gear, Timken 32502H front axle, Timken 56410 bevel gear rear axle, Ross T26 steering gear, Hydovac booster brakes, 8.25 x 20 synthetic tires, dual rear.	\$2,782
R	Chassis, truck with 56" cab, 25,000 pounds gross vehicle weight, 172" wheelbase, Hercules WXL3 engine, Fuller 5F430 5-speed transmission, Timken 35000 front axle, Timken 98415 2-speed hydraulic shift rear axle, cast tank radiator, 3/4" x 12" fish plates, 9.00 x 20 synthetic tires, dual rear.	4,180
J	Chassis, truck and cab, 28,000 pounds gross vehicle weight, 178" wheelbase, 501 cubic inch engine, Fuller 5A620 transmission, Ross 271 steering gear, Timken 26450W front axle, Timken S200P rear axle, cast tank radiator, 3/4" x 14" fish plates, 10.00 x 20 tires.	4,975

(2) *Charges for extra or optional equipment.* A charge for each item of extra or optional equipment not to exceed the price to be computed as follows:

(i) The Company shall multiply its January 1, 1941 price for each item of extra or optional equipment by the increase factor approved by the Office of Price Administration for adjusting the Company's January 1, 1941 prices under section 8 of Maximum Price Regulation 610.

(ii) The Company shall compute the list price of each item of extra or optional equipment by multiplying the Company's adjusted price of 133.33%.

(iii) The Company shall file its dollar and cents adjusted price and list price computed under (i) and (ii) above for each item of extra or optional equipment with the National Office of Price Administration, Automotive Branch, Washington, D. C. within 48 hours after such adjusted prices are established.

(3) *Charge for transportation.* A charge for transportation of the truck and extra or optional equipment not to exceed a charge computed in accordance with the method the Company had in effect on March 31, 1942 plus transportation tax at the current legal rate.

(4) *Charge for taxes.* A charge to cover Federal Excise Taxes at the current legal rate, computed in accordance with the method the Company had in effect on March 31, 1942, and also state and local taxes if any, directly imposed upon the sale or delivery of the truck, and extra or optional equipment.

(5) *Charge for factory handling and delivery.* A charge for factory handling and delivery computed by using the same rate and method the Company had in effect on March 31, 1942.

(b) *Sales below ceiling to domestic dealers.* In the event the Company sells to domestic dealers below the maximum net price authorized in this revised order for sales of trucks or extra or optional equipment, it shall so advise the National OPA Office, Automotive Branch, Washington, D. C., in writing within 48 hours and shall immediately comply with the provisions of section 8 (h) of Maximum Price Regulation 610.

NOTE: As required by section 12 of Maximum Price Regulation 610, the Company shall notify all resellers of list prices and discounts for the vehicle of base specifications and extra or optional equipment and shall notify resellers that they must use such list prices and discounts in determining maximum prices in accordance with section 10.

(c) A reseller is authorized to sell and deliver at his place of business each new Duplex truck described in paragraph (1) below, at a price not to exceed the total of the following charges:

(1) *Charge for the new truck.* A charge for the new truck not to exceed the applicable list price set forth in the following schedule. The company shall notify all resellers of list prices authorized in this revised order for the new trucks.

Model	Description	List price
T	Chassis, truck with 56" 2-man cab and one-piece windshield, 18,000 pounds gross vehicle weight, 160" wheelbase, Hercules JXD engine, Fuller 5B33 transmission with overdrive in 5th gear, Timken 32502H front axle, Timken 56410 bevel gear rear axle, Ross T26 steering gear, Hydovac booster brakes, 8.25 x 20 synthetic tires, dual rear.	\$3,709
R	Chassis, truck with 56" cab, 25,000 pounds gross vehicle weight, 172" wheelbase, Hercules WXL3 engine, Fuller 5F430 5-speed transmission, Timken 35000 front axle, Timken 98415 2-speed hydraulic shift rear axle, cast tank radiator, 3/4" x 12" fish plates, 9.00 x 20 synthetic tires, dual rear.	5,573
J	Chassis, truck and cab, 28,000 pounds gross vehicle weight, 178" wheelbase, 501 cubic inch engine, Fuller 5A620 transmission, Ross 271 steering gear, Timken 26450W front axle, Timken S200P rear axle, cast tank radiator, 3/4" x 14" fish plates, 10.00 x 20 synthetic tires, dual rear.	7,107

(2) *Charges for extra or optional equipment.* A charge for each item of extra or optional equipment not to exceed the list price which the Company shall determine in accordance with paragraph (a) (2). The Company shall notify all resellers of list prices authorized in this revised order for extra or optional equipment.

(3) *Other charges.* Charges permitted by section 10 of Maximum Price Regulation 610 when applicable to the sale.

(d) *Sales by resellers in Porto Rico and the Territory of Alaska.* A reseller may sell and deliver in Porto Rico or Alaska each of the new Duplex trucks described in paragraph (a) (1) at a price not to exceed the maximum price it may charge under paragraph (c), to which it may add a sum equal to the expense incurred by or charged to it for: Payment of territorial and insular taxes on the purchase, sale or introduction of the new truck and extra or optional equipment in Porto Rico or Alaska, when not charged under paragraph (c); export premium; boxing and crating for export purposes; assembly costs, if any; marine and war risk insurance; landing, wharfage and terminal operations; ocean freight; freight to the port of embarkation when not charged under paragraph (c); and inland freight from the port of debarkation by the most direct route to the reseller's place of business.

(e) All requests not granted herein are denied.

(f) This revised order may be amended or revoked by the Administrator at any time.

(g) This revised order shall become effective September 26, 1946, for new Duplex trucks and extra or optional equipment sold by the Company on and after September 26, 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING REVISED ORDER NO. 15 UNDER MAXIMUM PRICE REGULATION 610—MAXIMUM PRICES FOR NEW TRUCKS AND NEW MOTORCYCLES

Order 15 established for the Duplex Truck Company, Lansing, Michigan, maximum prices on its Models T, K, R and J trucks and extra or optional equipment. These prices were established under sections 8 and 9 of Maximum Price Regulation 610.

In the order as originally issued, net wholesale maximum prices for the Company were not included. The Company must have such prices instead of maximum retail list prices less a discount because it has customarily sold at net wholesale prices and not off retail list less a discount.

Order 15, therefore, is being reissued as a revised order to include maximum net wholesale prices for the Company. Maximum prices for Model K truck chassis are not included in the revised order since its ceilings are suspended from price control by Amendment 53 to Supplementary Order 129, effective September 10, 1946.

[F. R. Doc. 46-17500; Filed, Sept. 25, 1946; 11:25 a. m.]

[MPR 610, Order 22]

HUDSON MOTOR CAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 8 of Maximum Price Regulation 610, it is ordered:

(a) Hudson Motor Car Company, hereinafter called the Company, is authorized to sell and deliver f. o. b. factory Detroit, Michigan, to distributors for resale to master dealers under distributor-dealer agreements, the Hudson new commercial truck listed in paragraph (1) below at a price not to exceed the total of the following applicable charges:

(1) *Charge for the new truck.* A charge for the new truck not to exceed the applicable Company net price in the following schedule subject to a wholesale discount of 4.0% of the applicable amount set forth in subparagraph (2) of paragraph (c) to be paid or credited to distributors under the same terms and conditions as in effect on March 31, 1942.

SCHEDULE

Model	Description	Company net price	List price
58	Cab pick-up including mechanical clock, bumper guards (front only), extra windshield wiper, and 6.50 x 16 6-ply synthetic rubber tires in lieu of 6.00 x 16 4-ply natural rubber tires; also including advertising charge.....	\$883.31	\$1,154

(2) *Charges for extra or optional equipment.* A charge for each item of extra or optional equipment listed below affixed to the new truck which shall not exceed the respective company net price shown below:

Description	Company net price to distributor	Distributor net price to dealer	List price
Combination fuel and vacuum pump.....	\$4.85	\$5.19	\$8.92
Drivemaster, except with RHD.....	58.50	60.88	79.05
Electric clock.....	9.20	9.86	13.15
Fender lamps.....	10.56	11.32	15.09
Headlight dimming resistor.....	.84	.90	1.20
Model 51 front bumper and guard assembly.....	5.88	6.30	8.40
Oil bath air cleaner.....	2.18	2.34	3.12
Overdrive.....	59.31	62.60	82.37
Rubber cushion pad.....	5.82	6.23	8.31
Steering wheel, 17" with horn operating ring.....	4.07	4.37	5.82
Steering wheel, 18".....	13.08	14.01	18.69
Twin Air Horns.....	6.78	7.27	9.69
Vacuumotive drive.....	27.41	28.93	38.07
Vacuum antenna.....	6.30	6.75	9.00
Visor, fixed type, extra.....	2.18	2.34	3.12
Weathermaster.....	24.50	31.02	46.38
Wheel rim trim rings.....	8.48	9.09	12.11

(3) *Charge for factory handling.* A charge for handling of the new truck computed in accordance with the same method the Company had in effect on March 31, 1942.

(4) *Charge for Federal excise taxes.* A charge to cover expense of Federal excise taxes, at current legal rate, on the new truck and extra or optional equipment computed in accordance with the method the Company had in effect on March 31, 1942; except that in the case of extra or optional equipment the tax shall be computed on the basis of Company net prices for the extra or optional equipment sold with the truck.

(5) *Charge for transportation.* A charge to cover transportation cost which the Company may prepay for transporting the truck and extra or optional equipment from Detroit, Michigan, to the point at which delivery is made to the distributor, computed in accordance with the same method the Company had in effect on March 31, 1942, plus transportation tax at the current legal rate.

(6) *Charge for retail report card.* A charge for a retail report card not to exceed \$5.00 which shall be refunded or credited under the same terms and conditions in effect on March 31, 1942.

(7) *Charge for manufacturer's statement of origin.* A charge not to exceed twenty-five cents (\$.25) for preparing and furnishing a manufacturer's statement of origin or similar document for the new truck when requested by the distributor.

(8) *Charge for anti-freeze.* A charge for anti-freeze supplied with the truck not to exceed the applicable maximum price.

(9) *Charge for advertising.* A charge for cooperative advertising not to exceed \$10.00 when the distributor agrees to participate in the cooperative advertising program.

(b) The Company may sell and deliver f. o. b. factory Detroit, Michigan, to distributors for resale other than under distributor-dealer agreements, the Hudson new commercial truck listed in subparagraph (1) of paragraph (a) at a price not to exceed the total of the following charges:

(1) *Charge for the new truck.* The applicable Company net price in subparagraph (1) of paragraph (a) for the

new truck less the additional volume discount in paragraph (c).

(2) *Charges for extra or optional equipment.* A charge for extra or optional equipment listed in subparagraph (2) of paragraph (a) affixed to the new truck which shall not exceed the applicable Company net price to distributor in that subparagraph.

(3) *Charge for delivery at factory to ultimate purchaser on distributor's order.* A charge not to exceed \$10.00 for preparing and conditioning the new truck for delivery at the factory to an ultimate purchaser on distributor's order.

(4) *Charge for advertising.* A charge for cooperative advertising not to exceed \$10.00 when the distributor agrees to participate in the cooperative advertising program.

(5) *Other charges.* Charges to cover factory handling, federal excise taxes, transportation expense, retail report card, manufacturer's statement of origin or similar document, and anti-freeze, determined in accordance with applicable methods provided for those charges in paragraph (a).

(c) *Volume discount.* If during a yearly period ending September 30th of the year 1946 and on September 30th of each year thereafter, a distributor shall have sold at retail, or a master dealer shall have purchased for resale at retail, a net quantity of thirty-six or more new Hudson commercial trucks, the Company shall pay or credit to the applicable distributor or master dealer as soon as practicable after September 30, 1946 and after September 30th of each year thereafter under the same terms and conditions in effect on March 31, 1942, an amount obtained by applying the applicable discount in subparagraph (1) to the applicable base amount in subparagraph (2).

(1) *Discounts.*

Volume schedule:	Discount (percent)
1 to 35 inclusive.....	None
36 to 75.....	1/2
76 to 100.....	3/4
101 to 125.....	1
126 to 200.....	1 1/2
201 to 300.....	2
301 to 450.....	2 1/2
451 and over.....	3

(2) *Base amount.*

Description:	Base amount
Model 58 Cab pick-up.....	\$1,128

(d) The Company may sell and deliver f. o. b. factory Detroit, Michigan, to users the Hudson new truck described in subparagraph (1) of paragraph (a) at a price not to exceed the total of the following charges:

(1) *Charge for new truck.* The applicable list price in subparagraph (1) of paragraph (a) for the new truck, less discounts in effect on March 31, 1942 to the applicable class of purchaser.

(2) *Charge for extra or optional equipment.* A charge for extra or optional equipment listed in subparagraph (2) of paragraph (a) affixed to the new truck which shall not exceed the applicable list price in that subparagraph, less discounts in effect on March 31, 1942 to the applicable class of purchaser.

(3) *Charges for State and local taxes.* A charge not to exceed its expense for State and local taxes on the sale or delivery of the new truck and extra or optional equipment.

(4) *Charge for preparing and conditioning.* A charge for preparing and conditioning the new truck for delivery to the user not to exceed \$10.00.

(5) *Charges for gasoline, oil and anti-freeze.* A charge for gasoline, oil, and anti-freeze supplied with the truck not to exceed applicable maximum prices.

(6) *Other charges.* Charges to cover factory handling, Federal excise taxes, transportation expense, and statement of origin or similar document determined in accordance with the applicable methods provided in paragraph (a).

NOTE: As required by section 12 of Maximum Price Regulation 610, the Company shall notify resellers of resale prices for the vehicle of base specifications and extra or optional equipment and shall notify resellers that they must use such resale prices in determining maximum prices in accordance with section 10.

(e) A distributor when selling under a distributor-dealer arrangement may sell and deliver to master dealers the Hudson new truck described in subparagraph (1) of paragraph (a) at a price not to exceed the applicable Company net price in that subparagraph plus the following applicable charges.

(1) *Extra or optional equipment.* A charge for each item of extra or optional equipment listed in subparagraph (2) of paragraph (a) affixed to the new truck which shall not exceed the applicable distributor net price to a dealer listed in that subparagraph.

(2) *Charge for transportation.* A charge to cover the distributor's transportation expense not to exceed a charge computed in accordance with the applicable provisions of paragraph 10 (c) of Maximum Price Regulation 610.

(3) *Charge for Federal excise taxes.* A charge not to exceed the charges made by the Company to cover Federal excise taxes on the new truck and extra or optional equipment.

(4) *Charge for factory handling.* A charge for factory handling not to exceed the charge the Company makes to the distributor.

(5) *Charge for unloading and warehousing.* When the new truck is stored in a warehouse by the distributor, a charge not to exceed \$10.00 to cover warehousing expense and a charge not to exceed \$3.50 to cover unloading and greasing expense.

(6) *Charge for retail report card.* A charge for a retail report card not to exceed \$5.00 which shall be refunded or credited under the same terms and conditions in effect on March 31, 1942.

(7) *Charge for manufacturer's statement of origin.* A charge not to exceed twenty-five cents (\$0.25) for preparing and furnishing a manufacturer's statement of origin or similar document for the new truck when requested by the master dealer.

(8) *Charge for gasoline, oil and anti-freeze.* A charge for gasoline, oil and

anti-freeze supplied with the truck not to exceed applicable maximum prices.

(9) *Charge for advertising.* A charge for cooperative advertising not to exceed \$10.00 when the master dealer agrees to participate in the cooperative advertising program.

(f) A distributor when not selling under a distributor-dealer arrangement and any other reseller at retail may sell and deliver the Hudson new truck listed in subparagraph (1) of paragraph (a) at a price not to exceed the respective list price in that subparagraph, plus the following applicable charges:

(1) *Charges for extra or optional equipment.* A charge for each item of extra or optional equipment listed in subparagraph (2) of paragraph (a) affixed to the new truck which shall not exceed the applicable list price in that subparagraph.

(2) *Charge for gasoline, oil and anti-freeze.* A charge for gasoline, oil and anti-freeze supplied with the truck upon delivery to the purchaser not to exceed applicable maximum prices.

(3) *Other charges.* Charges permitted by section 10 of Maximum Price Regulation 610 when applicable to the sale.

(g) *Resales in Porto Rico and Alaska.* A reseller is authorized to sell each new Hudson truck and extra or optional equipment listed in paragraph (a) in Porto Rico and Alaska at a price not to exceed the maximum price permitted by paragraph (e) or (f) whichever is applicable, to which he may add a sum not to exceed the expense incurred by or charged to him for: Payment of territorial and insular taxes on the purchase, sale, or introduction of the new vehicle in the territory or possession when not charged under paragraph (e) or (f); export premiums; boxing and crating for export purposes; assembly costs, if any; marine and war-risk insurance; landing, warfare, and terminal operations; ocean freight; freight to port of embarkation when not charged under paragraph (e) or (f); and inland territorial freight from the port of debarkation by the most direct route to the reseller's place of business.

(h) All requests not granted herein are denied.

(i) This order may be amended or revoked by the Administrator at any time.

This order shall become effective September 26, 1946 for all trucks sold by the Company on and after September 26, 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 22 UNDER MAXIMUM PRICE REGULATION 610

The Hudson Motor Car Company of Detroit, Michigan has applied, pursuant to section 8 of Maximum Price Regulation 610, for maximum prices on its Model 58 Cab pick-up truck and extra or optional equipment. The maximum prices authorized in the order which this opinion accompanies supersede the adjusted maximum prices in effect under

MPR 136. The vehicle priced in this action is in the commodity line of less than 16,000 pounds gross vehicle weight.

In general, section 8 of the regulation permits the establishment of maximum prices for a manufacturer by the calculation of a price increase factor for each commodity line reflecting legal increases since January 1, 1941 in materials prices and basic wage rate schedules and a profit margin over cost, the application of this increase factor to 1941 model prices and the adjusting of resulting prices to show increases or decreases in direct labor and direct materials costs due to changes in specifications, design, material and equipment over the 1941 models.

The increases in basic wage rate schedules and in the general level of materials prices, including increases consistent with Executive Order 9697, and the profit, which were reflected in the Hudson increase factor were in accordance with the provisions of section 8. Section 8 was adhered to in determining increases in direct labor and materials cost resulting from changes in specifications, design, material and equipment incorporated in the new truck and in determining the over-all increase price factor. The price increase factor and the increase resulting from specification changes were correctly applied to the 1941 model price. In these circumstances, the prices requested by the Hudson Motor Car Company for its sales have been authorized in the accompanying order.

The Company's maximum price for its sales consists of a net wholesale price for the truck and extra or optional equipment plus applicable charges for factory handling; Federal excise taxes; transportation; retail report card; manufacturer's statement of origin and advertising.

An adjusted maximum price for the new truck and extra or optional equipment is authorized for Company sales to users. This maximum price gives effect to the increase the manufacturer is entitled to receive under section 8 and preserves the Company practice for such sales on March 31, 1942.

In accordance with section 10 of Maximum Price Regulation 610 the order also includes an adjusted maximum price for resellers in the United States and for resellers in Porto Rico and Alaska. The resellers' adjusted maximum price reflects the increase in price given to the applicant and preserves the resellers' customary prewar margin on their increased cost.

The maximum price for sales at wholesale consists of a wholesale price for the new truck and extra or optional equipment plus the applicable charges for transportation; advertising; Federal excise taxes; state and local taxes, if any; preparing and conditioning when such operations are performed; and other miscellaneous charges permitted by Maximum Price Regulation 610.

The maximum price for sales at retail consists of a list price for new trucks and extra or optional equipment plus the applicable extra charges as set forth in section 10 of Maximum Price Regula-

tion 610. For resellers in Porto Rico and Alaska, provision is made for additional charges as set forth in section 11. As required by section 12, the Company must notify all resellers of list prices and applicable discounts for the new truck and extra or optional equipment.

Prices authorized in this order are in accordance with the provisions of Maximum Price Regulation 610 and the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17492; Filed, Sept. 25, 1946; 11:23 a. m.]

[MPR 580, Amdt. 6 to Order 260]

DUOFOLD, INC.

ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, Amendment 6 to Order 260. *Establishing ceiling prices at retail for certain articles.* Docket No. 6063-580-13-784.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 260 issued under section 13 of Maximum Price Regulation 580 on application of Duofold Inc., Mohawk, New York, is amended in the following respect:

1. Paragraph (a) is amended to increase the uniform retail ceiling prices established by the order for the articles listed below, as follows:

"DUOFOLD" UNION SUITS

Manufacturer's selling price per dozen except in Pacific States		Retail ceiling price except in Pacific States	
Sizes 34-46	Sizes 48-50	Sizes 34-46	Sizes 48-50
59.00	67.00	7.45	8.45
44.85	50.00	5.65	6.40
44.65	50.40	5.65	6.35
44.25	50.00	5.60	6.30
40.75	46.25	5.15	5.85
40.35	45.85	5.10	5.80
36.25	40.25	4.60	5.10
36.10	-----	4.55	-----
32.60	35.85	4.10	4.55
30.85	-----	3.90	-----

"DUOFOLD" SHIRTS

34.00	39.50	4.30	5.00
24.45	28.45	3.10	3.60
24.10	28.10	3.05	3.55
22.60	26.10	2.85	3.30
22.25	25.75	2.80	3.25
20.35	23.85	2.55	3.00
20.20	23.70	2.55	3.00
18.10	21.10	2.30	2.65
20.40	22.15	2.60	2.80
16.30	18.05	2.05	2.30
13.55	15.05	1.70	1.90
22.50	-----	2.85	-----
20.75	-----	2.60	-----

"DUOFOLD" DRAWERS

33.55	39.05	4.25	4.95
24.00	28.00	3.05	3.55
22.15	25.65	2.80	3.25
22.40	25.90	2.85	3.25
20.60	24.10	2.60	3.05
20.50	22.25	2.60	2.80
22.45	-----	2.85	-----
20.65	-----	2.60	-----
13.80	15.30	1.75	1.95

LADIES' AND MISSES' SKI SHIRTS

Manufacturer's selling price per dozen except in Pacific States		Retail ceiling price except in Pacific States	
Sizes 34-46	Sizes 48-50	Sizes 34-46	Sizes 48-50
24.25	-----	3.05	-----
22.10	-----	2.80	-----
20.30	-----	2.55	-----

LADIES' AND MISSES' SKI TIGHTS

24.00	-----	3.05	-----
22.25	-----	2.80	-----
22.20	-----	2.80	-----
20.40	-----	2.60	-----

"DU-ONS"

10.65	12.15	1.35	1.55
15.90	17.90	2.00	2.25

"DUOCRAFT" DRAWERS

Sizes 24-46	Sizes 48-50	Sizes 24-46	Sizes 48-50
5.30	6.05	.65	.75
5.50	6.25	.70	.80
8.30	9.55	1.05	1.20
7.25	8.25	.90	1.05
10.75	12.25	1.35	1.55

"DUOCRAFT" SHIRTS

Sizes 26-46	Sizes 48-50	Sizes 26-46	Sizes 48-50
7.10	8.10	.90	1.00
4.75	5.50	.60	.70
7.00	8.00	.90	1.00
10.00	11.50	1.25	1.45

"DUOFOLD" UNION SUITS

Sizes 34-46	Sizes 48-50	Sizes 34-46	Sizes 48-50
60.25	68.25	7.60	8.65
46.10	51.85	5.85	6.55
45.90	51.65	5.80	6.55
45.50	51.25	5.75	6.50
42.00	47.60	5.30	6.00
41.60	47.10	5.25	5.95
37.25	41.25	4.70	5.20
36.85	-----	4.65	-----
33.35	36.60	4.20	4.65
31.60	-----	4.00	-----

"DUOFOLD" SHIRTS

Sizes 34-46	Sizes 48-50	Sizes 34-46	Sizes 48-50
34.75	40.25	4.40	5.10
25.20	29.20	3.20	3.70
24.85	28.85	3.15	3.65
23.35	26.85	2.95	3.40
23.00	26.50	2.90	3.35
21.10	24.60	2.65	3.10
20.95	24.45	2.65	3.10
18.85	21.85	2.40	2.75
21.15	22.90	2.65	2.90
17.05	18.80	2.15	2.40
14.05	15.65	1.75	1.95

"DU-ONS"

Manufacturer's selling price per dozen except in Pacific States		Retail ceiling price except in Pacific States	
10.90	12.40	1.40	1.55
16.15	18.15	2.05	2.30

"DUOFOLD" DRAWERS

Sizes 28-46	Sizes 48-50	Sizes 28-46	Sizes 48-50
34.30	39.80	4.35	5.05
24.75	28.75	3.15	3.65
22.90	26.40	2.90	3.35
23.15	26.65	2.95	3.35
21.35	24.85	2.70	3.15
21.25	23.00	2.70	2.90
14.30	15.80	1.80	2.00

This amendment shall become effective September 25, 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING AMENDMENT 6 TO ORDER NO. 260 UNDER MAXIMUM PRICE REGULATION 580

The accompanying amendment to Order 260 issued to Duofold, Inc., Mohawk, New York, under Section 13 of Maximum Price Regulation 580, revises the retail ceiling prices of articles covered by the order for which the manufacturer has recalculated his ceiling prices pursuant to Amendment 3 to Revised Supplementary Order 154.

[F. R. Doc. 46-17499; Filed, Sept. 25, 1946; 11:25 a. m.]

[MPR 591, Order 836]

HOFFMAN SPECIALTY CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 836 under Section 16 of Maximum Price Regulation No. 591, Docket No. 6123-591.16-318. Hoffman Specialty Company, Indianapolis, Indiana.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to Section 16 of Maximum Price Regulation No. 591, it is ordered:

(a) *Adjustment of maximum prices for the Hoffman Specialty Company of Indianapolis, Indiana.* (1) This order permits the Hoffman Specialty Company of Indianapolis, Indiana to increase by 10.4 percent its properly established maximum net prices in effect on June 30, 1946, to each class of purchaser for its line of heating and hot water specialties and accessories and repair parts therefor.

(2) The maximum net prices set forth in (a) (1) above are subject to discounts, allowances including transportation allowances and the rendition of services which are at least as favorable as those which the Hoffman Specialty Company extended or rendered or would have extended or rendered to each class of pur-

chaser during March 1942, on comparable sales of heating and hot water specialties and accessories and repair parts therefor.

(b) *Maximum prices for resellers.* (1) All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their properly established maximum prices in effect on June 30, 1946, the percentage increase in cost to them resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The Hoffman Specialty Company shall send the following notice to every purchaser of the commodities covered by the order at or before the first invoice after the effective date of this order:

Order No. 836 under section 16 of Maximum Price Regulation No. 591 provides for a 10.4 percent increase in maximum net prices in effect on June 30, 1946, for sales by the Hoffman Specialty Company for its line of heating and hot water specialties and accessories and repair parts therefor.

Resellers (but not manufacturers who purchase these items for use in the manufacture of other products) may add to their existing maximum prices the percentage increase in cost to them resulting from the adjustment granted by Order No. 836.

(d) All requests of the application of the Hoffman Specialty Company of Indianapolis, Indiana, not herein granted are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective September 26, 1946.

Issued this 25th day of September 1946.

[SEAL]

GEOFFREY BAKER,
Acting Administrator.

OPINION ACCOMPANYING ORDER NO. 836 UNDER SECTION 16 OF MAXIMUM PRICE REGULATION NO. 591

The Hoffman Specialty Company of Indianapolis, Indiana, requested an upward adjustment of its maximum prices for its line of heating and hot water specialties and accessories and repair parts therefor.

Section 16 of Maximum Price Regulation No. 591 provides that any manufacturer whose over-all operations have been conducted at a loss during his most recent representative accounting period, is eligible for an adjustment within the limits indicated in this section. This permits an adjustment in an amount sufficient to make the adjusted price equal to total cost for the commodity or line.

The Hoffman Specialty Company of Indianapolis, Indiana, submitted cost and financial data. Such data indicate that its current over-all return on entire company operations is less than total cost.

Accordingly, this order authorizes an adjustment in the applicant's maximum prices which will return the applicant total cost on its line of heating and hot water specialties and accessories and repair parts therefor.

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Controls over the maximum prices of some of the products may have been, or may be suspended in the future by Supplementary Order 129 (Exemption and Suspension from price control of machines, parts, industrial materials and services). In that event, the provisions of this order with respect to those items are also suspended during the period of the price control suspension, subject to reinstatement if the former price controls are restored.

Resellers are permitted to increase their existing maximum prices by the percentage increase in cost to them resulting from the increase granted the manufacturer. Thus, resellers will continue to realize the same percentage margin over acquisition cost that they realized previous to the issuance of the accompanying order.

After due consideration of the foregoing, the Price Administrator finds that this action is consistent with the Emergency Price Control Act of 1942, as amended, and the Executive orders of the President.

[F. R. Doc. 46-17415; Filed, Sept. 25, 1946; 8:49 a. m.]

[Order 375 Under 3 (b), Order 117]

D. L. CLARK CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 117 under Order No. 375 under § 1499.3 (b) of the General Maximum Price Regulation. The D. L. Clark Company. Docket No. 6036.1, Order 375 (5) 535.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:* That:

Authorization of maximum prices governing sales of "I. X. L. Chocolate Crispies", a confectionery item manufactured by The D. L. Clark Company, Martindale, Itasco, Reedsdale and Corry Streets, Pittsburgh, Pennsylvania.

(a) The maximum prices for the indicated sales below of a confectionery item to be known as "I. X. L. Chocolate Crispies", a packaged box, weighing 1.0 pounds net, of approximately 32 pieces of a chocolate covered candy manufactured by The D. L. Clark Company, Martindale, Itasco, Reedsdale and Corry Streets, Pittsburgh, Pennsylvania, in accordance with its formula contained in its price application dated June 18, 1946, shall be:

	Cents per pound box, delivered
1. From the D. L. Clark Co., to wholesalers	50
2. From wholesalers to retailers	62.5
	Cents per pound box
3. From retailers to consumers	87

(b) Maximum prices established in this order are the highest for which this "I. X. L. Chocolate Crispies" box of chocolate covered candy may be sold by the respective sellers. All sellers shall reduce the above appropriate maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of other comparable items.

(c) The D. L. Clark Company shall mail or otherwise supply to its pur-

chasers, at the time or prior to the first delivery to such purchaser, a written notice as follows:

The Office of Price Administration has authorized us to sell our "I. X. L. Chocolate Crispies" box of chocolate covered candy to wholesalers at a maximum price of 50¢ per box, delivered. Wholesalers are authorized to sell this item to retailers at a maximum price of 62.5¢ per box, delivered. Retailers are authorized to sell this item to consumers at a maximum price of 87¢ per box. On sales of this item, all sellers are required to reduce their prices by applying their customary discounts, allowances and price differentials which have been applied to sales of other comparable items.

(d) The D. L. Clark Company for a period of at least ninety days shall place in or on each box distributed through a wholesaler, a notice as follows:

The Office of Price Administration has authorized wholesalers to sell "I. X. L. Chocolate Crispies" box of candy to retailers at a maximum delivered price of 62.5¢ per box. Retailers are authorized to sell this item to consumers at a maximum price of 87¢ per box.

(e) This order may be revoked or amended at any time by the Price Administrator.

(f) This Order No. 117 shall become effective September 26, 1946.

NOTE: This action has the prior written approval of the Secretary of Agriculture (10 F. R. 8419, 9419, 10961, 12305).

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 117 UNDER ORDER NO. 375 UNDER SECTION 1499.3 (b) OF THE GENERAL MAXIMUM PRICE REGULATION

The D. L. Clark Company, Pittsburgh, Pennsylvania, a confectionery manufacturer, hereinafter called applicant, has filed an application pursuant to the provisions of paragraph (d) of Order 375 under § 1499.3 (b) of the General Maximum Price Regulation requesting authorization of maximum prices for sales to wholesalers for a new item to be known as "I. X. L. Chocolate Crispies". Applicant alleges that it did not sell this or a similar item during March 1942, nor can it ascertain the existence of a manufacturer meeting the definition of the most closely competitive seller of the same class, and therefore applicant cannot avail itself of the pricing methods contained in § 1499.2 of the General Maximum Price Regulation. Accordingly, upon the basis of the following information, the Price Administrator is issuing simultaneously herewith an order establishing the maximum prices for this item at the requested sales level.

The new item is a packaged box, weighing 1.0 pounds net, of approximately 32 pieces of a chocolate covered candy confection. Applicant has submitted a current cost breakdown showing the detailed costs of ingredients, packaging material and direct labor.

The Price Administrator has considered applicant's request for maximum prices, and has determined that the maximum prices established in the accompanying order are fair and equitable and in line with the prices established for

comparable items. The Price Administrator is likewise establishing maximum prices for sales of this item at the wholesale and retail levels in line with the prices established by comparable sellers of comparable items. The order further provides that upon the sale of this item all sellers shall reduce the specific maximum prices set out by applying their customary discounts, allowances and price differentials which have been applied to sales of other comparable confectionery items.

The order also provides a manner by which applicant shall notify wholesalers and retailers of the applicable maximum prices established therein.

[F. R. Doc. 46-17361; Filed, Sept. 25, 1946; 8:56 a. m.]

[Order 375 Under 3 (b), Order 118]

NATIONAL LICORICE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered, That:*

Authorization of maximum prices governing sales of the confectionery items named in paragraph (a), manufactured by National Licorice Company, Brooklyn, New York.

(a) The maximum prices for the sales indicated below of the listed confectionery items manufactured by National Licorice Company in accordance with statements contained in its price application dated April 4, 1946, as amended, shall be:

Name of Item	Maximum prices f. o. b. plant for sales by National Licorice Company to wholesalers and retailers per carton of 24 8-ounce bags	Maximum delivered prices for sales by wholesalers to retailers per carton of 24 8-ounce bags	Maximum prices for sales to consumers by retailers who purchase direct from National Licorice Company per 8-ounce bag	Maximum prices for sales to consumers by retailers who purchase from wholesalers per 8-ounce bag
Y & S Licorice Bricks	\$2.73	\$3.27	\$0.17	\$0.19
Y & S Hodge Podge	3.77	4.52	.24	.26
Y & S Licorice Lozenges	2.98	3.58	.19	.21

(b) Maximum prices established in this order are the highest for which the above-named items may be sold by the respective sellers. All sellers shall reduce the above appropriate maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of comparable confectionery items.

(c) National Licorice Company shall mail or otherwise supply to its purchasers at the time of or prior to, the first delivery of any of the above-named items to each purchaser, the following notice:

(Insert date)

The Office of Price Administration has authorized us to sell our (name of item) to wholesalers and retailers at a maximum price of (price of item), f. o. b. (location of plant) per carton of 24 8-ounce bags. Wholesalers are authorized to sell this item to retailers at a maximum price of (price of item) per carton of 24 8-ounce bags, delivered. Retailers who purchase this item from wholesalers are authorized to sell it to consumers at a maximum price of (price of item) per 8-ounce bag. Retailers who purchase this item direct from National Licorice Company are authorized to sell it at a maximum price of (price of item) per 8-ounce bag. On sales of this item, all sellers are required to reduce their prices by applying their customary discounts, allowances and price differentials which have been applied to sales of comparable items.

(d) National Licorice Company, for a period of at least ninety days, shall place in or on each carton distributed through a wholesaler a notice as follows:

The Office of Price Administration has authorized wholesalers to sell (name of item) at a maximum price of (price of item) per carton of 24 8-ounce bags, delivered. Retailers purchasing from wholesalers are authorized to sell this item at a maximum price of (price of item) per 8-ounce bag.

(e) This order may be revoked or amended at any time by the Price Administrator.

(f) This Order No. 118 shall become effective September 26, 1946.

NOTE: This action has the prior written approval of the Secretary of Agriculture (10 F. R. 8419, 9419, 10961, 12305).

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 118 UNDER ORDER NO. 375 OF SECTION 1499.3 (b) OF THE GENERAL MAXIMUM PRICE REGULATION

National Licorice Company, Brooklyn, New York, a confectionery manufacturer, hereinafter called applicant, has filed an application pursuant to the provisions of paragraph (d) of Order 375 under § 1499.3 (b) of the General Maximum Price Regulation requesting authorization of maximum prices for sales to wholesalers and certain retailers for three new confectionery items to be known as "Y & S Licorice Bricks", "Y & S Hodge Podge", and "Y & S Licorice Lozenges". Applicant alleges that neither it nor any competitor sold any of these items in March 1942. Applicant therefore cannot avail itself of the pricing methods contained in § 1499.2 of the General Maximum Price Regulation. Accordingly, upon the basis of the following information the Price Administrator is issuing simultaneously herewith an order establishing the maximum prices for this item at the requested sales levels.

The new items are different forms of licorice candy packed in lithographed cellophane bags, 8 ounces net, 24 bags to a carton. Applicant has submitted a current cost breakdown showing the detailed costs of ingredients, packaging material and direct labor.

The Price Administrator has considered applicant's request for maximum prices, and has determined that the maximum prices established by the accompanying order are fair and equitable

and in line with the prices established for comparable items. The Price Administrator is likewise establishing maximum prices for sales of these items at the wholesale and retail levels in line with the prices established by comparable sellers of comparable items. The accompanying order provides that upon sales of these items all sellers shall reduce the applicable maximum prices by applying their customary discounts, allowances and price differentials on sales of comparable items.

The order further provides a manner by which applicant shall notify wholesalers and retailers of the applicable maximum prices established therein.

[F. R. Doc. 46-17391; Filed, Sept. 25, 1946; 8:56 a. m.]

[Rev. Order 157 Under 3 (e) (3)]

VETERANS' ALUMINUM PRODUCTS CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order No. 157 under section 3 (e) (3) of the General Maximum Price Regulation is revised to read as follows:

(a) The maximum price f. o. b., Louisville, Kentucky, for sales by any person of aluminum prefabricated non-dwelling structures, uninstalled, manufactured by Veterans' Aluminum Products Company, Louisville, Kentucky, as described in their application of August 16, 1946 on file in this Office shall be \$603.00.

Sales may be made below the above maximum price.

(b) The maximum price as determined above shall be subject to cash discounts, transportation allowances and price differentials which are at least as favorable as those the manufacturer or resellers extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category on March 31, 1946.

(c) To the maximum price established under (a) there may be added the actual cost of any State sales tax, provided the purchaser is notified in writing that the tax is included in the total sales price.

(d) To the maximum f. o. b. price there may be added actual transportation expense to the destination specified by the purchaser. If shipment is made direct from factory to purchaser, the charge for transportation expense shall be computed on that basis.

(e) This order may be amended or revoked by the Price Administrator at any time.

This revised order shall become effective September 26, 1946.

Issued this 25th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING REVISED ORDER NO. 157 UNDER SECTION 3 (e) (3) OF THE GENERAL MAXIMUM PRICE REGULATION

The accompanying Revised Order No. 157 under section 3 (e) (3) of the General Maximum Price Regulation establishes a maximum f. o. b. price for sales by any person of 12' x 20' prefabricated alumi-

num non-dwelling structures manufactured by Veterans' Aluminum Products Company of Louisville, Kentucky.

Order No. 157, issued to Veterans' Construction Company, a partnership, established a maximum f. o. b. price for sales of these prefabricated aluminum structures on the basis of estimated costs, submitted in advance of operating experience. Through inadvertence, that order did not provide for the reestablishment of a maximum price after a period of actual production.

Upon starting production, the company, now reorganized as the Veterans' Aluminum Products Company, found it necessary to make various structural changes, adding two studs and two rafters on each side, running siding horizontal instead of vertical and adding corner strips. These have caused a heavy increase in bolts, washers, and roof caulking material. These structural changes have materially increased labor cost of fabrication.

In view of the foregoing modifications in material and design, the maximum price is revised to bring it appropriately into line with the maximum prices of other manufacturers of products comparable to the applicant's modified product. Since the buildings have been changed materially, both in structure and design, the maximum price has been revised to allow the actual increase in labor and material costs necessitated by these changes. The maximum price now established is a price properly in line with the level of maximum prices under the General Maximum Price Regulation.

[F. R. Doc. 46-17392; Filed, Sept. 25, 1946; 8:56 a. m.]

Regional and District Office Orders.

[Region VI Order G-16 Under RMPR 122, Amdt. 135]

SOLID FUELS IN SHEBOYGAN, WIS., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 31 to Order No. G-16, paragraph (b) Price schedule, subparagraph III is amended to read as follows:

III. Pennsylvania anthracite:

1. Egg	\$17.95
2. Stove	17.95
3. Nut	17.95
4. Pea	16.10
5. Buckwheat	13.40

The maximum prices set forth above are for sales of Anthracite by C. Reiss Coal Company and others. They include a 75 cents per ton adjustment granted pursuant to an application filed by that company under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, and, in addition thereto, they reflect and supersede maximum prices for those sales granted by general orders applicable throughout Region VI of the Office of Price Administration reflecting increases granted by Amendments No. 45, 46, 47 and 48 to Revised Maximum Price Regulation No. 122.

This Amendment No. 135 to Order No. G-16 of Revised Maximum Price Regulation No. 122 shall become effective September 6, 1946.

Issued this 6th day of September 1946.

EARL W. CLARK,
Regional Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 135 TO ORDER NO. G-16 UNDER REVISED MAXIMUM PRICE REGULATION NO. 122

Section 1340.260 of Revised Maximum Price Regulation No. 122 authorizes the regional administrator of the Office of Price Administration to establish by order, maximum prices in line with those established by that regulation for deliveries of solid fuels made, or the services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record-keeping or other requirements may be made of the dealer or dealers involved.

The Amendment No. 135 shall remain in effect with respect to sales of anthracite in the Sheboygan, Wisconsin, area, as defined in Appendix No. 31 to Order No. G-16, and until that order is further amended reflecting the increases in effect for all solid fuels sold in that area granted by the amendments to the regulation cited in Amendment No. 135.

[F. R. Doc. 46-17170; Filed, Sept. 24, 1946; 9:04 a. m.]

[Region I Order G-42 Under 18 (c), Amdt. 1] LUMP CHARCOAL AND CHARCOAL BRIQUETS IN NEW ENGLAND

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

Order No. G-42, Regional Office, Region I, under section 18 (c) of the General Maximum Price Regulation is amended in the following respects:

1. Paragraph (a) is hereby deleted and the following paragraph (a) substituted therefor:

(a) For sales at retail of charcoal and charcoal briquets, bagged in bags containing not more than twenty pounds and sold and delivered in New England, the maximum price shall be the price established by the General Maximum Price Regulation or \$.065 per pound, whichever is higher.

This amendment to Order No. G-42 shall become effective September 9, 1946.

Issued this 9th day of September 1946.

ELDON C. SHOUP,
Regional Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 1 TO ORDER NO. G-42 UNDER SECTION 18 (C) OF THE GENERAL MAXIMUM PRICE REGULATION

Order G-42, effective October 9, 1944, was issued for the purpose of adjusting

maximum prices for sales by dealers to retailers and for sales at retail of lump charcoal and charcoal briquets, in order to alleviate a shortage of these commodities in New England. Amendment 13 to Maximum Price Regulation No. 431 effective March 15, 1946 authorized increases in the maximum prices for sales by hardwood distillers of charcoal made from mixed hardwoods. Amendment 14 to Maximum Price Regulation No. 431, effective June 21, 1946, authorized dealers who price under the General Maximum Price Regulation to take advantage of full dollar-and-cent pass-through of cost increases resulting from Amendment 13. By reason of these two amendments, as well as of various individual adjustment orders, it appears that effective distribution of charcoal at the wholesale level will no longer be impeded and that continued supply in New England from dealers to retailers will be assured. The adjustments authorized to dealers, therefore, by Order G-42 under section 18 (c) of the General Maximum Price Regulation are being revoked by this amendment.

With respect, however, to retailers' maximum prices for lump charcoal and charcoal briquets, the increased costs to retailers have not been offset by the adjustments which have been authorized to retailers. In order to insure essential distribution of charcoal at the retail level, therefore, it has been determined that an adjustment of retailers' maximum prices may be authorized at this time pursuant to section 18 (c) of the General Maximum Price Regulation. The maximum price established by the accompanying order is limited to sales at retail of charcoal and charcoal briquets bagged in bags containing not more than twenty pounds.

[F. R. Doc. 46-17299; Filed, Sept. 25, 1946; 9:08 a. m.]

[Chicago Order G-2 Under Gen. Order 68, Amdt. 2]

HARD BUILDING MATERIALS IN LAKE COUNTY, ILL., AREA

The last paragraph of Amendment No. 1 to District Order No. G-2 under General Order No. 68 is hereby amended so as to delete the words "and supersedes said Order."

This Amendment No. 2 to District Order No. G-2 under General Order No. 68 shall be effective as of August 24, 1946.

Issued this 12th day of September 1946.

JAMES F. RILEY,
District Director.

OPINION ACCOMPANYING AMENDMENT NO. 2 TO DISTRICT ORDER G-2 UNDER GENERAL ORDER 68

The last paragraph of Amendment No. 1 to District Order No. G-2 under General Order No. 68 was worded in such a manner that it could be misconstrued.

This amendment is issued for purposes of clarity.

[F. R. Doc. 46-17308; Filed, Sept. 25, 1946; 9:04 a. m.]

[Region I Order G-3 Under Gen. Order G-70]

SHOE CARTONS IN NEW ENGLAND

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the

Office of Price Administration by General Order No. 70, as amended, and the Emergency Price Control Act of 1942, as amended, *It is ordered:*

(a) On and after the effective date of this order, the maximum prices as established by Revised Maximum Price Regulation 187, for sales and deliveries by

manufacturers of the standard shoe boxes or cartons (including flat blanks) listed below, are modified so that the maximum prices for such shoe cartons and blanks shall be as follows:

(1) *Manufacturers' maximum prices for shoe boxes (delivered basis).*

Size numbers	2	4-5-6-7-17	8	8½-9	10	11	13	Size numbers	2	4-5-6-7-17	8	8½-9	10	11	13
White no label:								White label each end—							
M	\$35.85	\$31.75	\$30.10	\$34.50	\$36.10	\$40.00	\$35.30	Continued							
36 pair	1.51	1.30	1.36	1.41	1.52	1.67	1.47	18 pair			\$0.85	\$0.88	\$0.93	\$0.73	\$0.90
24 pair						1.17		12 pair							
18 pair			.74	.76	.81		.79	Colored label one end:							
12 pair						.64		M	\$41.25	\$35.55	\$36.90	\$38.30	\$41.55	\$45.80	\$39.65
Colored no label:								36 pair	1.69	1.49	1.54	1.60	1.71	1.88	1.66
M	\$7.45	\$3.10	\$4.50	\$5.30	\$7.75	\$2.70	\$6.10	24 pair						1.33	
36 pair	1.56	1.36	1.44	1.47	1.57	1.76	1.52	18 pair			.83	.86	.91	1.00	.88
24 pair						1.24		12 pair						.72	
18 pair			.78	.79	.85		.81	Colored label each end:							
12 pair						.67		M	\$3.70	\$3.00	\$3.35	\$4.25	\$4.00	\$4.80	\$4.65
White tag:								36 pair	1.79	1.59	1.64	1.69	1.80	1.98	1.75
M	\$8.30	\$3.95	\$5.00	\$5.55	\$8.55	\$1.25	\$7.20	24 pair						1.39	
36 pair	1.60	1.39	1.44	1.50	1.61	1.69	1.55	18 pair			.88	.90	.96		.93
24 pair						1.18		12 pair						.76	
18 pair				.80	.86		.84	Printed one color:							
12 pair						.65		M	\$2.65	\$2.45	\$2.80	\$3.20	\$3.45	\$4.15	\$4.10
White label one end:								36 pair	1.75	1.56	1.62	1.73	1.78	1.93	1.73
M	\$9.35	\$4.75	\$5.55	\$6.90	\$9.65	\$2.15	\$8.30	24 pair						1.37	
36 pair	1.64	1.43	1.49	1.54	1.65	1.77	1.60	18 pair			.87	.89	.94		.92
24 pair						1.25		12 pair						.74	
18 pair			.80	.83	.88		.86	Printed two colors:							
12 pair						.68		M	\$6.15	\$4.75	\$2.35	\$3.70	\$6.45	\$5.75	\$5.70
White label each end:								36 pair	1.87	1.68	1.74	1.67	1.90	2.02	1.85
M	\$2.35	\$6.40	\$8.00	\$9.35	\$2.65	\$6.15	\$1.25	24 pair						1.42	
36 pair	1.74	1.56	1.59	1.64	1.75	1.89	1.69	18 pair			.92	.96	1.01		.98
24 pair						1.34		12 pair						.77	

(2) *Manufacturers' maximum prices for shoe box blanks (flats) (delivered basis).* The maximum prices for shoe boxes (listed in subparagraph (1) above) not set up shall be the maximum prices for set-up shoe boxes, per quantities listed for the particular size, set forth in subparagraph (1) above of this paragraph (a), reduced as follows:

	Percent
For plain white and plain colored blanks (no printing of any kind thereon).....	25
For all other blanks; namely, tag ends, label ends, and completely designed blanks, or blanks upon which printing of any kind appears.....	22

(3) *Differentials and extras—(a) Small quantities.* The maximum prices per case (i. e., per 12 to 36 pair), listed above, apply only if delivery of cartons is made in set-up shipping cases or containers. For cartons which are merely tied for delivery, the maximum price shall be the applicable portion of the per-thousand maximum price.

Provided, however, where a manufacturer is entitled, under Revised Maximum Price Regulation No. 187, to apply a base-period differential for sales and deliveries in small quantities (i. e., in quantities of less than 1,000 or less than the unit lots listed in this order), the manufacturer may nevertheless continue to apply his said base-period differential on sales of the boxes covered by this order in such small quantities. (Note: Such differential must be substantiated by the manufacturer's base-period records.)

(b) *Extra printing.* The maximum prices listed in subparagraph (1), above, of this paragraph (a) for printed cartons shall apply to printed cartons with ink coverage in the design not in excess of 25% ink coverage. Where the coverage in the design is in excess of 25% ink coverage, the extras indicated below may be added:

	Per M
26 percent to 50 percent, add.....	\$1.40
51 percent to 75 percent, add.....	\$2.10
76 percent to 100 percent, add.....	\$2.80

(c) *Delivery.* The maximum prices hereby established are for sales on a delivered basis within the manufacturer's free delivery zone in New England. For delivery made by the manufacturer beyond his free delivery zone, transportation shall not exceed the lowest available common carrier rate. For non-delivered sales (i. e., f. o. b. manufacturer's plant or warehouse), the manufacturer must deduct from the maximum prices established in subparagraph (1) or (2) of this paragraph (a) the manufacturer's customary delivery differentials.

(b) The seller must notify the buyer at the time of the first sale of the maximum prices established by this order for the items of such sale. The seller may comply with this requirement by furnishing each buyer with a copy of this order.

(c) Regardless of any contract or other obligation, this order applies to all sales or deliveries within Maine, New Hampshire, Vermont, Connecticut, Rhode Island, and Massachusetts of the shoe boxes, listed in paragraph (a), both of set-up boxes and flat shoe box blanks.

(d) (i) All shoe cartons or shoe carton blanks covered by this order shall be made of the following grades of paperboard, listed in Maximum Price Regulation No. 32; namely: "Plain Chip," "Filled News," "Solid News," "Semibending and Creasing Chip," and "Full Bending Chip" (more fully or specifically defined in Maximum Price Regulation No. 32, section 13 (d)-(2)-(4)-(5)-(13)-(14)).

(ii) For the purposes of this order, standard set-up shoe boxes for men's size (size #11) shall be made of paperboard of caliper .033 to .045, inclusive. Standard size shoe cartons, except size

#11, shall be made of paperboard of caliper .029 to .034, inclusive.

(iii) The maximum prices in this order shall be applicable to the boxes specified herein when covered with cover paper costing not in excess of \$2.60 per ream of size 20 x 26 of 500 count. Such paper shall be machine, super-calendered, plate or glazed finish. Labels and cover strips made from standard grades of label and stripping papers and not exceeding two-color printing up to \$3.00 per thousand for these items shall be used. Shipping containers for the standard cartons shall be made from corrugated kraft up to 200 test.

(e) The maximum prices for new shoe boxes and flat blanks other than of standard size and the maximum prices of used shoe boxes are not affected by this order.

(f) Sellers subject to this order must deduct from the maximum prices in paragraph (a) their customary allowances, discounts or other price differentials, including the differential for non-delivered sales in effect during October 1941.

(g) No additional charges not provided for by this order shall be made. However, lower prices than those established by this order may be charged, demanded, offered or paid.

(h) New sellers and sellers without October 1941 experience shall use the customary allowances, discounts or other price differentials, including the differential for nondelivered sales, of their most closely competitive seller of the same class.

(i) (1) *Invoices and Records.* Every person making a sale of the shoe box cartons or blanks for which maximum prices are established by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(a) The date of sale.

(b) The name and address of the buyer and seller.

(c) The quantity of shoe cartons or blanks sold.

(d) A description of the shoe cartons or blanks in the same manner as they are described in this order, and the prices charged therefor respectively.

(e) Any customary allowance, discount, or other price differential, including the differential for non-delivered sale.

(f) Total price of the shoe cartons and blanks.

(g) A description of the amount of the permitted charges for transportation.

(2) The seller shall keep an exact copy of each such invoice or memorandum (or a record of all the information required by subparagraph (1), above, of this paragraph (i), and such copy of record shall be made available for inspection by the Office of Price Administration.

(j) To the extent applicable, the provisions of this order supersede manufacturers' maximum prices as established in Revised Maximum Price Regulation No. 187. Except as otherwise provided herein, this order incorporates the following provisions of Revised Maximum Price Regulation No. 187, and the same are hereby made applicable hereunder: section 1 (c) (4), Charges for Delivery; section 5, Federal and State Taxes; section 6 (a), Base Period and other Records; section 7, Evasion; section 8, Enforcement; section 9, Adjustable Price in; section 13, Discounts and allowances.

(k) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration.

(1) *Power to amend, revoke or correct.* This order, or any provisions thereof, may be revoked, amended or corrected at any time.

This Order No. G-3 shall become effective September 20, 1946.

Issued this 20th day of September 1946.

ELDON C. SHOUP,
Regional Administrator.

OPINION ACCOMPANYING ORDER NO. G-3
UNDER GENERAL ORDER NO. 70

The accompanying Order No. G-3, issued pursuant to General Order No. 70, as amended, establishes maximum prices for manufacturers' sales in Region I of the standard shoe boxes and blanks specified therein.

Section (a) of General Order No. 70, as amended, delegates to the Regional Administrator authority to establish dollar-and-cent ceiling prices on certain paperboard commodities, including standard shoe boxes or cartons, and to grant adjustment thereof under certain conditions in any area or locality within his jurisdiction.

Section (c) provides that an order establishing maximum prices under General Order No. 70, after approval by the Office of Price Administration, Washington, D. C., shall supersede the maximum price regulation, schedule or order.

It appears that practically all of the

shoe cartons used in this Region are produced here. Since prices of cartons produced outside the Region are higher than the adjusted prices, it is uneconomical to import from other sections of the country. Moreover, it is established that the bulk of shoe cartons produced in the country comes from this Region. Because price increases granted in paperboard together with other necessary supplies (such as glue, ink, cover paper, labels and corrugated packing cases) have become so large compared with March, 1943, costs, and since it has been necessary to grant numerous wage increases to workers in the industry, the financial conditions facing the companies making up the industry are such as to threaten continued supply of the cartons. In addition to cost increases in types of board and paper normally used, the shortage of these types has made it necessary very frequently to use more expensive substitutes. Since there would be no alternative lower-priced source of supply if local manufacturers were to discontinue production, it is considered that there is a serious threat of shortage to the supply of shoe cartons at the present time.

Upon the basis of the data submitted to this office, the present order effects an adjustment in maximum selling prices sufficient to compensate for prior increases in paperboard costs and to allow a return equal to the industry-wide profit factor previously ascertained as a result of surveys of the industry conducted on a national basis. The adjustment granted to New England manufacturers will not create a shortage or need for increases in prices in other localities. The present action is deemed advisable since the cartons have normally been sold at fairly uniform prices because of competitive nature of industry and because the bulk of the shoe cartons produced in this Region are sold here.

To the extent practicable, the Administrator has advised and consulted with representatives of the industry which will be effected by this order. The maximum prices have been established under existing criteria in an amount necessary to permit the maintenance of the manufacturer's production. These prices are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

All provisions of this order and their effect upon business practices, cost practices, or methods, or means or aids to distribution in the industry affected, have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the Emergency Price Control Act of 1942, as amended. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution established in the industry affected, such provisions are necessary to prevent circumvention or eva-

sion of this order or of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17249; Filed, Sept. 24, 1946; 8:57 a. m.]

[Region III Order G-2 Under Gen. Order 68, Amdt. 4]

HARD BUILDING MATERIALS IN GRAND
RAPIDS, MICH., AREA

For the reasons set forth in an accompanying opinion, which has been filed with the Division of the Federal Register, and pursuant to the provisions of General Order No. 68 and of Regional Basic Order No. 1-B, it is hereby ordered, That:

(a) Table I of Order No. G-2 be amended to read as set forth in the price list marked Table I, which is annexed to and made a part of this order.

(b) Where the amendment or order, which grants your supplier an increase in his maximum price, provides that all resellers (including those subject to area orders issued under General Order No. 68) may increase their maximum price for the commodity in question, you may increase the price listed in this amendment by the amount permitted for resellers by the amendment or order increasing your supplier's maximum price. This can be done only if the effective date of the action increasing your supplier's maximum price is later than the date stated on the price list contained in this amendment.

(c) This amendment reflects the increase in maximum prices permitted by Supplementary Order 172 (Modification of resellers maximum prices established under General Order No. 68 for certain building and construction materials). Accordingly this amendment supersedes that supplementary order, and the maximum prices established by this amendment cannot be increased under that supplementary order.

(d) This Amendment No. 4 to Order No. G-2 shall become effective August 22, 1946.

Issued August 22, 1946.

JOHN F. KESSEL,
Regional Administrator.

TABLE I—MAXIMUM RETAIL DELIVERED¹ PRICES
OF THE LISTED HARD BUILDING MATERIALS IN
THE GRAND RAPIDS, MICHIGAN AREA²

Commodity and unit	Price
Plaster, hardwall, 100 lb.-----	\$0.80
Plaster, gauging, 100 lb.-----	.80
Plaster, moulding, 100 lb.-----	1.80
Plaster, bonding, 100 lb.-----	.87
Keene's cement, 100 lb.-----	1.85

¹ Delivery: (i) The maximum prices listed in Table I, above include free delivery of purchases of ten dollars' value or more to any point within the Grand Rapids, Michigan Area.

(ii) For delivery of purchases of less than ten dollars' value within the zone specified in subsection (i), above, the seller may charge not more than fifty cents per delivery.

(iii) No deduction need be made from the maximum prices listed in Table I, above, where the purchaser elects to make his own delivery.

Discounts: No seller covered hereby shall discontinue or reduce any of the allowances or discounts which he offered in March, 1942, to different classes of customers.

² As amended by Amendment No. 4.

TABLE I—MAXIMUM RETAIL DELIVERED PRICES OF THE LISTED HARD BUILDING MATERIALS IN THE GRAND RAPIDS, MICHIGAN AREA—CON.

Commodity and unit	Price
Finishing line, 50 lb.	.52
Gypsum lath, 3/8-inch, 1,000 sq. ft.	21.00
Metal lath, 2.5 lb., painted diamond mesh, sq. yd.	.2788
Metal lath, galvanized, sq. yd.	.2732
Metal lath, 3.4 lb., painted diamond mesh, sq. yd.	.336
Metal lath, 3.4 lb., galvanized, sq. yd.	.339
Metal lath, 2.75 lb., flat rib painted, sq. yd.	.3135
Metal lath, 2.75 lb., flat rib, galvanized, sq. yd.	.3108
Metal lath, 3.4 lb., 3/8 in. high rib painted, sq. yd.	.3688
Metal lath, corner bead, expanded type, 1,000 lin. ft.	43.87
Portland cement (paper), barrel.	2.71
Portland cement (cloth), barrel.	2.96
Masonry mortar, barrel.	2.565
Mason's hydrated lime, 50 lb.	.45
Waterproof cement (gray) barrel.	3.46
Brick, Chicago common, 1,000 bricks	28.51
Brick, sand lime common, 1,000 bricks	23.17
Hollow building tile, partition, 4 in. x 12 in. x 12 in., 1,000 tile	134.40
Hollow building tile, load bearing, 5 in. x 8 in. x 12 in., 1,000 tile	177.27
Hollow building tile, backup, 5 in. x 8 in. x 12 in., 1,000 tile	136.40
Clay drain tile, 3 in., 1,000 lin. ft.	57.13
Clay drain tile, 4 in., 1,000 lin. ft.	80.24
Clay drain tile, 6 in., 1,000 lin. ft.	152.97
Vitrified sewer pipe, 4 in., lin. ft.	.212
Vitrified sewer pipe, 6 in., lin. ft.	.318
Flue lining, 8 1/2 in. x 8 1/2 in., lin. ft.	.4036
Flue lining, 9 in. x 13 in., lin. ft.	.6053
Flue lining, 13 in. x 13 in., lin. ft.	.7575
Gypsum board sheathing, 1/2 in., 1,000 sq. ft.	39.00
Asphalt roofing mineral surface, 90 lbs., roll	2.65
Asphalt or tarred felt, 15 lb., 432 sq. ft., roll	2.89
Asphalt or tarred felt, 30 lb., 216 sq. ft., roll	2.89
Asphalt shingles (thickbutt), 3 in line, 12 in., square	6.03
Asphalt shingles, 2 tab hexagon, square	4.72
Fibre insulation board, 1/2 in., standard lath and board, 1,000 sq. ft.	48.38
Fibre insulation board, 3/4 in., asphalt sheathing, 1,000 sq. ft.	78.00
Asbestos cement siding, 12 in. x 24 in., 12 in. x 27 in., standard colors, 100 sq. ft.	7.88
Asbestos cement siding, 12 in. x 24 in., 12 in. x 27 in., brilliant colors, 100 sq. ft.	9.45
Asbestos cement roofing shingle, economy cut, 100 sq. ft.	9.78
Asbestos cement roofing shingles, lapunder shingle, 100 sq. ft.	9.78
Standard density synthetic fibre board, 3/8 in., 4 in. x 8 in., 1,000 sq. ft.	90.00
Hard density synthetic fibre board, 1/2 in., tempered, standard size, 1,000 sq. ft.	90.00
Thermal insulation blankets (paper backed), single, 1,000 sq. ft.	45.00
Thermal insulation blankets (paper backed), medium, 1,000 sq. ft.	62.00
Thermal insulation blankets (paper backed), thick, 1,000 sq. ft.	77.75
Thermal insulation batts (paper backed), 2 in. thick, 1,000 sq. ft.	49.50
Thermal insulation batts (paper backed), full thick, 1,000 sq. ft.	60.00
Thermal insulation, loose in bags (plain), 35 lb.	.80
Thermal insulation, loose in bags (nodulated), 35 lb.	1.25

OPINION ACCOMPANYING AMENDMENT NO. 4 TO ORDER NO. G-2 UNDER REVISED GENERAL ORDER NO. 68

General Order No. 68 provides that the Regional Administrator may establish, by area orders, dollars-and-cents maximum prices for commodities under the jurisdiction of the Building and Construction Price Division of the Office of Price Administration. Such prices are not to exceed the general level of prices in the particular area and may be adjusted from time to time if the prices, previously established by area order, are, in the opinion of the Regional Administrator, no longer fair and equitable.

Since the issuance of the latest price list for hard building materials in this area, there have been price increases granted to manufacturers by the Office of Price Administration which, in turn, have resulted in higher acquisition costs to the retailers. Furthermore, section 10 (t) of the Emergency Price Control Act, as amended, provides that retail distributors shall be allowed their average percentage mark-up, as of March 31, 1946, over their average current acquisition costs.

In order to meet the requirements of section 10 (t) and to maintain maximum prices which are fair and equitable, the accompanying amendment is being issued.

In the opinion of the Regional Administrator, the provisions of the accompanying amendment are fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of General Order No. 68, as amended.

[F. R. Doc. 46-17262; Filed, Sept. 24, 1946; 10:02 a. m.]

[Region III Order G-16, under Gen. Order 68, Amdt. 1]

HARD BUILDING MATERIALS IN PARKERSBURG, W. VA., AREA

For the reasons set forth in an accompanying opinion, which has been filed with the Division of the Federal Register, and pursuant to the provisions of General Order No. 68 and of Regional Basic Order No. 1-B; It is hereby ordered, That:

(a) Table I of Order No. G-16 be amended to read as set forth in the price list marked Table I, which is annexed to and made a part of this order.

(b) Where the amendment or order, which grants your supplier an increase in his maximum price, provides that all resellers (including those subject to area orders issued under General Order No. 68) may increase their maximum price for the commodity in question, you may increase the price listed in this amendment by the amount permitted for resellers by the amendment or order increasing your supplier's maximum price. This can be done only if the effective date of the action increasing your supplier's maximum price is later than the date stated on the price list contained in this amendment.

(c) This amendment reflects the increase in maximum prices permitted by Supplementary Order 172 (Modification of resellers maximum prices established

under General Order No. 68 for certain building and construction materials). Accordingly this amendment supersedes that supplementary order, and the maximum prices established by this amendment cannot be increased under that supplementary order.

(d) This Amendment No. 1 to Order No. G-16 shall become effective August 19, 1946.

Issued August 19, 1946.

J. F. KESSEL,
Regional Administrator.

TABLE I TO ORDER NO. 16-G UNDER GENERAL ORDER NO. 68—MAXIMUM DELIVERED PRICES FOR RETAIL SALES OF THE LISTED HARD BUILDING MATERIALS IN THE PARKERSBURG, WEST VIRGINIA, AREA

Commodity and unit	Price
Plaster, hardwall, 100 lb.	\$1.09
Plaster, gauging (white), 100 lb.	2.20
Plaster, moulding, 100 lb.	2.20
Plaster, bonding, 100 lb.	2.25
Keene's cement, 100 lb.	2.50
Finishing lime, 50 lb.	.56
Gypsum lath, 3.8 in., 1,000 sq. ft.	26.00
Metal lath, 2.5 lb., painted diamond mesh, sq. yd.	.262
Metal lath, 3.4 lb., 3/8 in., high rib painted, sq. yd.	.342
Metal lath, 3.4 lb., 3/8 in., high rib galvanized, sq. yd.	.4071
Metal lath, corner bead, expanded type, lin. ft.	.0535
Metal lath, corner bead, 2 in. (cornerite), lin. ft.	.0326
Metal lath, corner bead, 3 in. (cornerite), lin. ft.	.0323
Portland cement, standard (paper bags), 94 lb.	.756
Portland cement, standard (cloth bags), 94 lb.	.865
Masonry mortar (paper sack), 70 lb.	.715
Mason's hydrated lime, 50 lb.	.65
Waterproof cement (gray), 94 lb.	1.015
Clay drain tile, 3 inch, lin. ft.	.076
Clay drain tile, 4 inch, lin. ft.	.085
Clay drain tile, 6 inch, lin. ft.	.145
Vitrified clay sewer pipe, No. 18S-4 inch, lin. ft.	.1744
Vitrified clay sewer pipe, No. 18S-6 inch, lin. ft.	.2588
Flue lining, 9 in. x 9 in., lin. ft.	.3762
Flue lining, 9 in. x 13 in., lin. ft.	.57
Flue lining, 13 in. x 13 in., lin. ft.	.855
Gypsum wallboard, 3/8 in., 1,000 sq. ft.	38.12
Asphalt roofing, 90 lb., mineral surface, roll (108 sq. ft.)	3.04
Asphalt or tarred felt, 15 lb., roll (432 sq. ft.)	2.78
Asphalt or tarred felt, 30 lb., roll (216 sq. ft.)	2.78
Asphalt shingles, 210 lb., (3 in 1) thickbutt, 100 sq. ft.	6.22
Asphalt shingles, 165-167 lb., 2 tab hexagon, 100 sq. ft.	5.07
Fibre insulation board, 1/2 in., standard lath and board, 1,000 sq. ft.	53.75
Fibre insulation board, 3/4 in., asphalt sheathing, 1,000 sq. ft.	81.51
Asbestos cement siding, 12 in. x 24 in. or 27 in., standard colors, 100 sq. ft.	8.01
Asbestos cement siding, 12 in. x 24 in. or 27 in., brilliant colors, 100 sq. ft.	8.99
Thermal insulation batts (paper backed) full thick, 1,000 sq. ft.	60.00

Discounts: No seller covered hereby shall reduce or discontinue any allowances, discounts or differentials which he offered in March 1942.

¹ Delivery: The prices in Table I above, include free delivery within a radius of five miles of the seller's place of business. Delivery beyond such five-mile zone shall be at rates not exceeding the charges made by the seller in March 1942 for the same or similar delivery service.

OPINION ACCOMPANYING AMENDMENT NO. 1
TO ORDER NO. G-16 UNDER REVISED GEN-
ERAL ORDER NO. 68

General Order No. 68 provides that the Regional Administrator may establish, by area orders, dollars-and-cents maximum prices for commodities under the jurisdiction of the Building and Construction Price Division of the Office of Price Administration. Such prices are not to exceed the general level of prices in the particular area and may be adjusted from time to time if the prices, previously established by area order, are, in the opinion of the Regional Administrator, no longer fair and equitable.

Since the issuance of the latest price list for hard building materials in this area, there have been price increases granted to manufacturers by the Office of Price Administration which, in turn, have resulted in higher acquisition costs to the retailers. Furthermore, section 10 (t) of the Emergency Price Control Act, as amended, provides that retail distributors shall be allowed their average percentage mark-up, as of March 31, 1946, over their average current acquisition costs.

In order to meet the requirements of section 10 (t) and to maintain maximum prices which are fair and equitable, the accompanying amendment is being issued.

In the opinion of the Regional Administrator, the provisions of the accompanying amendment are fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of General Order No. 68, as amended.

[F. R. Doc. 46-17260; Filed, Sept. 24, 1946;
10:03 a. m.]

[Region III Order G-43, Under Gen. Order 68,
Amdt. 1]

HARD BUILDING MATERIALS IN SPRINGFIELD,
OHIO, AREA

For the reasons set forth in an accompanying opinion, which has been filed with the Division of the Federal Register, and pursuant to the provisions of General Order No. 68 and of Regional Basic Order No. 1-B; *It is hereby ordered*, That

(a) Table I of Order No. G-43 be amended to read as set forth in the price list marked Table I, which is annexed to and made a part of this order.

(b) Where the amendment or order, which grants your supplier an increase in his maximum price, provides that all resellers (including those subject to area orders issued under General Order No. 68) may increase their maximum price for the commodity in question, you may increase the price listed in this amendment by the amount permitted for resellers by the amendment or order increasing your supplier's maximum price. This can be done only if the effective date of the action increasing your supplier's maximum price is later than the date stated on the price list contained in this amendment.

(c) This amendment reflects the increase in maximum prices permitted by

Supplementary Order 172 (Modification of resellers maximum prices established under General Order No. 68 for certain building and construction materials). Accordingly this amendment supersedes that supplementary order, and the maximum prices established by this amendment cannot be increased under that supplementary order.

(d) This Amendment No. 1 to Order No. G-43 shall become effective August 19, 1946.

Issued August 19, 1946.

J. F. KESSEL,
Regional Administrator.

TABLE I TO ORDER NO. G-43 UNDER GENERAL
ORDER NO. 68 MAXIMUM DELIVERED PRICE
FOR LISTED HARD BUILDING MATERIALS WHEN
SOLD AT RETAIL IN THE SPRINGFIELD, OHIO
AREA

Commodity and Unit	Maximum price
Plaster, hardwall, 100 lb.	\$1.05
Plaster, gauging, ton	21.00
Plaster, gauging (less than ton), 100 lb.	1.20
Plaster, moulding (local), 100 lb.	1.80
Plaster, bonding, 100 lb.	1.05
Keene's cement, 100 lb.	2.10
Finishing lime, ton	23.24
Finishing lime (less than ton), 100 lb.	.616
Gypsum lath, $\frac{3}{8}$ in., 1,000 sq. ft.	26.00
Gypsum lath, $\frac{3}{8}$ in., bbl. (32 sq. ft.)	.85
Metal lath 2.5 lb. (copper bearing steel asphalt painted), sq. yd.	.3234
Metal lath 3.4 lb. (copper bearing asphalt painted), sq. yd.	.3936
Metal lath 2.75 lb. flat rib (copper bearing asphalt painted), sq. yd.	.3465
Metal lath 3.4 lb., $\frac{3}{8}$ in. high rib (copper bearing asphalt painted), sq. yd.	.4278
Corner bead, expanded type (26 gauge), lin. ft.	.0589
Plain corner bead, lin. ft.	.0495
Portland cement, standard (paper bag), bbl. (376 lbs.)	3.26
Portland cement, standard (paper bag), 94 lb.	1.015
Masonry mortar, bbl. (280 lbs.)	2.75
Masonry mortar, 70 lb.	.75
Mason's hydrated lime, ton	14.28
Mason's hydrated lime (less than ton), 50 lb.	.56
Waterproof cement (gray), bbl. (376 lbs.)	4.26
Waterproof cement (gray), 94 lb.	1.215
Clay drain tile, 3 in., lin. ft.	.0742
Clay drain tile, 4 in., lin. ft.	.0972
Clay drain tile, 6 in., lin. ft.	.1666
Vitrified clay sewer pipe, No. 1SS, 4 in., lin. ft.	.228
Vitrified clay sewer pipe, No. 1SS, 6 in., lin. ft.	.3534
Flue lining, 9 in. x 9 in., lin. ft.	.4674
Flue lining, 9 in. x 13 in., lin. ft.	.7068
Flue lining, 13 in. x 13 in., lin. ft.	.9006

Discounts: All prices listed above subject to not less than 2% discount if paid by the tenth day of the month following the month of purchase.

¹ Delivery: (1) on sales of merchandise worth \$10.00 or more, all sellers covered hereby whose places of business are located in the City of Springfield shall deliver free of charge to any point in the area described by extending the city limits of Springfield five miles.

(2) On sales of merchandise worth \$10.00 or less by sellers covered hereby whose places of business are located in the City of Springfield, a charge of one dollar may be made for deliveries to any point in the free delivery zone described in (1) above.

(3) On all sales of merchandise covered hereby by sellers whose places of business are located in the City of Springfield, delivery to points beyond the free delivery zone described in (1) above, shall be made at rates not exceeding the rates charged by the seller for such delivery service in March, 1942.

(4) All sellers whose places of business are located outside the City of Springfield but within the County of Clark shall deliver items covered hereby free of charge.

OPINION ACCOMPANYING AMENDMENT NO.
1 TO ORDER NO. G-43 UNDER REVISED
GENERAL ORDER NO. 68

General Order No. 68 provides that the Regional Administrator may establish, by area orders, dollars-and-cents maximum prices for commodities under the jurisdiction of the Building and Construction Price Division of the Office of Price Administration. Such prices are not to exceed the general level of prices in the particular area and may be adjusted from time to time if the prices, previously established by area order, are, in the opinion of the Regional Administrator, no longer fair and equitable.

Since the issuance of the latest price list for hard building materials in this area, there have been price increases granted to manufacturers by the Office of Price Administration which, in turn, have resulted in higher acquisition costs to the retailers. Furthermore, section 10 (t) of the Emergency Price Control Act, as amended, provides that retail distributors shall be allowed their average percentage mark-up, as of March 31, 1946, over their average current acquisition costs.

In order to meet the requirements of section 10 (t) and to maintain maximum prices which are fair and equitable, the accompanying amendment is being issued.

In the opinion of the Regional Administrator, the provisions of the accompanying amendment are fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of General Order No. 68, as amended.

[F. R. Doc. 46-17261; Filed, Sept. 24, 1946;
10:20 a. m.]

[Region III Order G-45 Under Gen. Order 68,
Amdt. 1]

HARD BUILDING MATERIALS IN BLUEFIELD,
W. VA., AREA

For the reasons set forth in an accompanying opinion, which has been filed with the Division of the Federal Register, and pursuant to the provisions of General Order No. 68 and of Regional Basic Order No. 1-B; *It is hereby ordered*, That:

(a) Table I of Order No. G-45 be amended to read as set forth in the price list marked Table I, which is annexed to and made a part of this order.

(b) Where the amendment or order, which grants your supplier an increase in his maximum price, provides that all resellers (including those subject to area orders issued under General Order No. 68) may increase their maximum price for the commodity in question, you may increase the price listed in this amend-

ment by the amount permitted for resellers by the amendment or order increasing your supplier's maximum price. This can be done only if the effective date of the action increasing your supplier's maximum price is later than the date stated on the price list contained in this amendment.

(c) This amendment reflects the increase in maximum prices permitted by Supplementary Order 172 (Modification of resellers maximum prices established under General Order No. 68 for certain building and construction materials). Accordingly this amendment supersedes that supplementary order, and the maximum prices established by this amendment cannot be increased under that supplementary order.

(d) This Amendment No. 1 to Order No. G-45 shall become effective August 19, 1946.

Issued August 19, 1946.

J. F. KESSEL,
Regional Administrator.

TABLE I OF ORDER NO. G-45 UNDER GENERAL ORDER 68 MAXIMUM DELIVERED PRICES FOR RETAIL SALES OF LISTED HARD BUILDING MATERIALS IN THE BLUEFIELD, WEST VIRGINIA AREA

Commodity and Unit	Maximum price
Plaster, hard wall, ton	\$22.40
Plaster, hard wall, 100-lb. bag	1.15
Plaster, gauging white, ton	50.00
Plaster, gauging white, 100-lb. bag	2.55
Plaster, moulding, ton	50.00
Plaster, moulding, 100-lb. bag	2.55
Keene's cement, 100-lb. bag	3.00
Lime, finishing, 50-lb. bag	.73
Gypsum lath, $\frac{3}{8}$ " in., 1,000 sq. ft.	28.00
Metal lath, 2.2 lb. painted diamond mesh, sq. yd.	.2565
Metal lath, 2.5 lb. painted diamond mesh, sq. yd.	.2788
Metal lath, 3.4 lb. painted diamond mesh, sq. yd.	.336
Metal lath, 2.75 lb. flat rib painted, sq. yd.	.308
Metal lath, 3.4 lb. $\frac{3}{8}$ in. high rib painted, sq. yd.	.3933
Metal lath corner bead—expanded type, lineal ft.	.04
Portland cement—paper bag, 94-lb. bag	.865
Masonry mortar—paper sacks, 70-lb. bag	.755
Mason's hydrated lime, 50-lb. bag	.56
Clay drain tile, 3 in., lineal ft.	.0772
Clay drain tile, 4 in., lineal ft.	.0933
Clay drain tile, 6 in., lineal ft.	.1616
Vitrified clay sewer No. 1SS—4 in. pipe, lineal ft.	.2086
Vitrified clay sewer No. 1SS—6 in. pipe, lineal ft.	.33
Flue lining, 9 in. x 9 in. lineal ft.	.4172
Flue lining, 9 in. x 13 in., lineal ft.	.66
Flue lining, 13 in. x 13 in., lineal ft.	.825
Gypsum wallboard, $\frac{3}{8}$ in., 1,000 sq. ft.	38.00
Gypsum wallboard, $\frac{1}{2}$ in., 1,000 sq. ft.	43.00
Gypsum sheathing, $\frac{1}{2}$ in., 1,000 sq. ft.	40.50
Asphalt roofing, 90 lb. mineral surfact roll 108 sq. ft.	2.98
Asphalt or tarred felt, 15 lb., roll 432 sq. ft.	2.78
Asphalt or tarred felt, 30 lb., roll 216 sq. ft.	2.78
Thermal insulation blankets (paper backed) medium, 1,000 sq. ft.	51.75
Thermal insulation blankets (paper backed), thick, 1,000 sq. ft.	65.00
Thermal insulation batts (paper backed) 2 in. thick, 1,000 sq. ft.	50.00

OPINION ACCOMPANYING AMENDMENT NO. 1 TO ORDER NO. G-45 UNDER REVISED GENERAL ORDER NO. 68

General Order No. 68 provides that the Regional Administrator may establish, by area orders, dollars-and-cents maximum prices for commodities under the jurisdiction of the Building and Construction Price Division of the Office of Price Administration. Such prices are not to exceed the general level of prices in the particular area and may be adjusted from time to time if the prices, previously established by area order, are, in the opinion of the Regional Administrator, no longer fair and equitable.

Since the issuance of the latest price list for hard building materials in this area, there have been price increases granted to manufacturers by the Office of Price Administration which, in turn, have resulted in higher acquisition costs to the retailers. Furthermore, section 10 (t) of the Emergency Price Control Act, as amended, provides that retail distributors shall be allowed their average percentage mark-up, as of March 31, 1946, over their average current acquisition costs.

In order to meet the requirements of section 10 (t) and to maintain maximum prices which are fair and equitable, the accompanying amendment is being issued.

In the opinion of the Regional Administrator, the provisions of the accompanying amendment are fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of General Order No. 68, as amended.

[F. R. Doc. 46-17259; Filed, Sept. 24, 1946; 10:04 a. m.]

[Region III Order G-47 Under Gen. Order 68, Amdt. 1]

HARD BUILDING MATERIALS IN MIDDLETOWN, OHIO, AREA

For the reasons set forth in an accompanying Opinion, which has been filed with the Division of the Federal Register, and pursuant to the provisions of General Order No. 68 and of Regional Basic Order No. 1-B; It is hereby ordered, That:

(a) Table I of Order No. G-47 be amended to read as set forth in the price list marked Table I, which is annexed to and made a part of this order.

(b) Where the amendment or order, which grants your supplier an increase in his maximum price, provides that all resellers (including those subject to area orders issued under General Order No. 68) may increase their maximum price for the commodity in question, you may increase the price listed in this amendment by the amount permitted for resellers by the amendment or order increasing your supplier's maximum price. This can be done only if the effective date of the action increasing your supplier's maximum price is later than the date stated on the price list contained in this amendment.

(c) This amendment reflects the increase in maximum prices permitted by Supplementary Order 172 (Modifica-

tion of resellers maximum prices established under General Order No. 68 for certain building and construction materials). Accordingly this amendment supersedes that supplementary order, and the maximum prices established under General Order No. 68 for certain building and construction materials). Accordingly this amendment supersedes that supplementary order, and the maximum prices established by this amendment cannot be increased under that supplementary order.

(d) This Amendment No. 1 to Order No. G-47 shall become effective August 19, 1946.

Issued August 19, 1946.

J. F. KESSEL,
Regional Administrator.

TABLE I—MAXIMUM RETAIL DELIVERED PRICES OF CERTAIN HARD BUILDING MATERIALS IN THE MIDDLETOWN, OHIO, AREA

Commodity and unit	Price
Plaster, hardwall, 100-lb. bag	\$1.05
Plaster, gauging, standard (local) gray, 100-lb. bag	1.05
Plaster, gauging, white, 100-lb. bag	2.05
Plaster, moulding, 100-lb. bag	2.00
Keene's cement, 100-lb. bag	2.50
Finishing lime, 50-lb. bag	.56
Gypsum lath, $\frac{3}{8}$ in., 1,000 sq. ft.	28.00
Portland cement, standard (paper bag), 94-lb. bag	.715
Masonry mortar, 70-lb. bag	.665
Mason's hydrated lime, 50-lb. bag	.56
Waterproof cement, 94-lb. bag	1.065
Clay drain tile, 3 in., lineal ft.	.0525
Clay drain tile, 4 in., lineal ft.	.0756
Clay drain tile, 6 in., lineal ft.	.1398
Vitrified clay sewer pipe No. 1SS, 4 in., lineal ft.	.1881
Vitrified clay sewer pipe No. 1SS, 6 in., lineal ft.	.2936
Flue lining, 9 x 9, lineal ft.	.4104
Flue lining, 9 x 13, lineal ft.	.6213
Flue lining, 13 x 13, lineal ft.	.8009
Gypsum wallboard, $\frac{3}{8}$ in., 1,000 sq. ft.	45.00
Asphalt roofing, 90 lb., mineral surface, 108 sq. ft. roll	2.76
Asphalt or tarred felt, 15 lb., 432 sq. ft. roll	3.12
Asphalt or tarred felt, 30 lb., 216 sq. ft. roll	3.12
Asphalt shingles, 210 lb. (3 in 1) thickbutt, 100 sq. ft.	6.21
Asphalt shingles, 165 lb. 2 tab hexagon, 100 sq. ft.	5.14

Delivery: Free delivery within the area comprised of Butler and Warren Counties. Dealer may defer delivery for reasonable time until full load can be delivered on one trip.

Discounts: All sellers covered hereby shall grant a discount of not less than two percent on the prices set forth in Table I above, if payment is made before the tenth day of the month following the month in which the purchase was made.

OPINION ACCOMPANYING AMENDMENT NO. 1 TO ORDER NO. G-47 UNDER REVISED GENERAL ORDER NO. 68

General Order No. 68 provides that the Regional Administrator may establish, by area orders, dollars-and-cents maximum prices for commodities under the jurisdiction of the Building and Construction Price Division of the Office of Price Administration. Such prices are not to exceed the general level of prices in the particular area and may be adjusted from time to time if the prices, previously established by area order, are,

in the opinion of the Regional Administrator, no longer fair and equitable.

Since the issuance of the latest price list for hard building materials in this area, there have been price increases granted to manufacturers by the Office of Price Administration which, in turn, have resulted in higher acquisition costs to the retailers. Furthermore, section 10 (t) of the Emergency Price Control Act, as amended, provides that retail distributors shall be allowed their average percentage mark-up, as of March 31, 1946, over their average current acquisition costs.

In order to meet the requirements of section 10 (t) and to maintain maximum prices which are fair and equitable, the accompanying amendment is being issued.

In the opinion of the Regional Administrator, the provisions of the accompanying amendment are fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of General Order No. 68, as amended.

[F. R. Doc. 46-17258; Filed, Sept. 24, 1946; 10:04 a. m.]

[Region III Order G-74 Under Gen. Order 68; Amdt. 1]

HARD BUILDING MATERIALS IN LORAIN, OHIO, AREA

For the reasons set forth in an accompanying opinion, which has been filed with the Division of the Federal Register, and pursuant to the provisions of General Order No. 68 and of Regional Basic Order No. 1-B: It is hereby ordered, That:

(a) Table I of Order No. G-74 be amended to read as set forth in the price list marked Table I, which is annexed to and made a part of this order.

(b) Where the amendment or order, which grants your supplier an increase in his maximum price, provides that all resellers (including those subject to area orders issued under General Order No. 68) may increase their maximum price for the commodity in question, you may increase the price listed in this amendment by the amount permitted for resellers by the amendment or order increasing your supplier's maximum price. This can be done only if the effective date of the action increasing your supplier's maximum price is later than the date stated on the price list contained in this amendment.

(c) This amendment reflects the increase in maximum prices permitted by Supplementary Order 172 (Modification of resellers maximum prices established under General Order No. 68 for certain building and construction materials). Accordingly this amendment supersedes that supplementary order, and the maximum prices established by this amendment cannot be increased under that supplementary order.

(d) This Amendment No. 1 to Order No. G-74 shall become effective August 19, 1946.

Issued August 19, 1946.

J. F. KESSEL,
Regional Administrator.

TABLE I TO ORDER NO. G-74 UNDER GENERAL ORDER NO. 68, MAXIMUM PRICES FOR SALES AT RETAIL OF LISTED HARD BUILDING MATERIALS IN THE LORAIN, OHIO, AREA

Commodity	Unit	Maximum prices	
		F. o. b. yard	Delivered ¹
Plaster, hardwall.....	100 lb.....	\$0.93	\$0.97
Plaster, gauging (gray).....	100 lb.....	1.75	1.85
Plaster, gauging (white).....	100 lb.....	2.25	2.35
Plaster, moulding (white).....	100 lb.....	2.25	2.35
Keene's cement.....	100 lb.....	2.39	2.50
Finishing lime.....	50 lb.....	.56	.56
Gypsum lath ½ in.....	1,000 sq. ft.....	23.00	23.20
Metal lath 2.2 lb. painted diamond mesh.....	Sq. yd.....	.301	.301
Metal lath 2.5 lb. painted diamond mesh.....	Sq. yd.....	.3233	.3233
Metal lath 3.4 lb. painted diamond mesh.....	Sq. yd.....	.384	.384
Metal lath, corner bead, expanded type.....	Ltn. ft.....	.0375	.0375
Portland cement (paper sack).....	94 lb.....	.755	.785
Masonry mortar.....	70 lb.....	.675	.705
Mason's hydrated lime.....	50 lb.....	.4704	.504
Waterproof cement (gray).....	94 lb.....	1.005	1.015
Clay drain tile, 4 in.....	1,000 lin. ft.....	61.99	65.23
Clay drain tile, 6 in.....	1,000 lin. ft.....	107.82	115.88
Vitrified clay sewer pipe No. 1SS 4 in.....	Ltn. ft.....	.1881	.1938
Vitrified clay sewer pipe No. 1SS 6 in.....	Ltn. ft.....	.2764	.2878
Flue lining, 8 in. x 8 in.....	Ltn. ft.....	.3819	.3876
Flue lining, 8 in. x 12 in.....	Ltn. ft.....	.4959	.5073
Flue lining, 12 in. x 12 in.....	Ltn. ft.....	.664	.664
Gypsum wallboard, ½ in.....	1,000 sq. ft.....	44.25	44.25
Asphalt roofing, 90 lb. mineral surface.....	108 sq. ft. roll.....	2.82	2.82
Asphalt or tarred felt, 15 lb.....	432 sq. ft. roll.....	2.78	3.18
Asphalt or tarred felt, 30 lb.....	216 sq. ft. roll.....	2.78	3.18
Asphalt shingles 210 lb. (3 in 1) thickbutt.....	100 sq. ft.....	6.40	6.40
Fibre insulation board ½ in. standard lath and board.....	1,000 sq. ft.....	53.75	53.75
Asbestos cement siding 12 in. x 24 in. or 27 in. standard colors.....	100 sq. ft.....	8.93	8.93
Hard density synthetic fibre board ½ in. tempered (standard size).....	1,000 sq. ft.....	100.00	100.00
Thermal insulation batts (paper back) 2 in. thick.....	1,000 sq. ft.....	45.00	45.00
Thermal insulation batts (paper back) full thick.....	1,000 sq. ft.....	67.00	67.00

¹ Delivery: (1) The maximum prices listed in Table I, above, include free delivery to any point within a radius of five miles of the seller's place of business.

(2) For delivery to points beyond the free delivery zones described in subsection (1), above, a seller shall charge no more than he did in March, 1942, for the same or similar delivery service.

(3) No deduction need be made from the prices listed in Table I, above, where the seller elects to make his own delivery.

Discounts: No seller covered hereby shall discontinue or reduce any of the allowances or discounts, which he offered in March, 1942, on sales of any of the items listed in Table I, above.

OPINION ACCOMPANYING AMENDMENT NO. 1 TO ORDER NO. G-74 UNDER REVISED GENERAL ORDER NO. 68

General Order No. 68 provides that the Regional Administrator may establish, by area orders, dollars-and-cents maximum prices for commodities under the jurisdiction of the Building and Construction Price Division of the Office of Price Administration. Such prices are not to exceed the general level of prices in the particular area and may be adjusted from time to time if the prices, previously established by area order, are, in the opinion of the Regional Administrator, no longer fair and equitable.

Since the issuance of the latest price list for hard building materials in this area, there have been price increases granted to manufacturers by the Office of Price Administration which, in turn, have resulted in higher acquisition costs to the retailers. Furthermore, section 10 (t) of the Emergency Price Control Act, as amended, provides that retail distributors shall be allowed their average percentage mark-up, as of March 31, 1946, over their average current acquisition costs.

In order to meet the requirements of section 10 (t) and to maintain maximum prices which are fair and equitable, the accompanying amendment is being issued.

In the opinion of the Regional Administrator, the provisions of the accompanying amendment are fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of General Order No. 68, as amended.

[F. R. Doc. 46-17257; Filed, Sept. 24, 1946; 10:04 a. m.]

[Region III Order G-53 Under MPR 592]

LEWISTOWN PIPE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation No. 592 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *What this order does.* This Order No. G-53 under section 16 of Maximum Price Regulation No. 592 provides for an adjustment of maximum prices for the sale of concrete pipe produced by the Lewistown Pipe Company of Fort Wayne, Indiana, hereinafter referred to as the manufacturer. The maximum prices of the manufacturer and the maximum prices of the resellers of such commodity are adjusted herein.

(b) *Manufacturer's adjusted maximum prices.* The adjusted maximum prices for sales by the manufacturer of concrete pipe produced by it shall be its maximum net prices in effect on June 13, 1946, to each class of purchaser, increased by 8%.

(c) *Resellers' adjusted maximum prices.* Any reseller of the commodity for which an adjustment is granted the manufacturer in (b) above may add to his maximum prices in effect on June 13, 1946, to each class of purchaser, the percentage amount of increase in his net invoiced cost resulting from the increase granted the manufacturer by this order.

(d) *Discounts, allowances and special charges.* All sellers of the subject commodities must continue to maintain discounts, allowances and other price differentials to each class of purchaser at least as favorable as those which were in

effect on June 13, 1946, and are permitted to add to their maximum prices, as adjusted herein, such charges for extras as were customarily added on June 13, 1946.

(e) *Notification.* The manufacturer, at or prior to the first billing reflecting the adjustment herein granted, shall send to each purchaser who resells the commodity covered by this order, a notice of the price increases authorized by this order. Such notice shall contain substantially the following:

Order No. G-53 under section 16 of Maximum Price Regulation No. 592 provides for an adjustment of maximum prices for the sale of concrete pipe produced by the Lewistown Pipe Company. Resellers may add to their maximum prices in effect on June 13, 1946, to each class of purchaser the percentage amount of increase in their net invoiced cost resulting from the increase granted to the manufacturer by this order.

(f) *Revocation and amendment.* This order may be revoked or amended at any time by the Office of Price Administration.

This order shall become effective September 11, 1946.

Issued September 11, 1946.

JOHN F. KESSEL,
Regional Administrator.

OPINION ACCOMPANYING ORDER NO. G-53
UNDER SECTION 16 OF MAXIMUM PRICE
REGULATION NO. 592

The accompanying Order No. G-53 under section 16 of Maximum Price Regulation No. 592 provides for an adjustment of the maximum prices of concrete pipe produced by the Lewistown Pipe Company of Fort Wayne, Indiana, (therein referred to as the manufacturer) and further provides for an adjustment of the maximum prices of resellers of such commodity.

Maximum Price Regulation No. 592 authorizes the Regional Administrator, upon application, to adjust the maximum prices of certain commodities, including concrete pipe, which are produced by a supplier whose supply of the commodities could not be replaced if the supplier discontinued production. Investigation has shown that the manufacturer is such a supplier.

The adjustment requested by the manufacturer is an over-all adjustment of its maximum prices of concrete pipe, by which, under the provisions of section 16 of Maximum Price Regulation No. 592, the Regional Administrator may authorize increases in the maximum prices of the manufacturer's commodity in an amount sufficient to permit the recovery of total costs plus a reasonable margin of profit.

Analysis of the financial data submitted by the manufacturer discloses that it is not realizing total costs plus a reasonable margin of profit. It is, therefore, concluded that an adjustment should be granted. It is considered that the adjustment granted, while constituting the minimum required, is sufficient to enable the manufacturer to maintain a continued supply of the subject commodity.

It has been determined that resellers of the subject commodity would be unable to absorb the increase granted

to the manufacturer and, accordingly, it is provided in the order that any reseller may add to his maximum prices in effect on June 13, 1946, to each class of purchaser, the percentage amount of increase in his net invoiced cost resulting from the increases granted the manufacturer by such order.

The price increases established in the accompanying order are considered generally fair and equitable in accordance with the provisions of Maximum Price Regulation No. 592 and consistent with the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17250; Filed, Sept. 24, 1946; 8:57 a. m.]

[Region III Order G-67 Under Gen. Order 68, Amdt. 1]

HARD BUILDING MATERIALS IN COVINGTON,
KY., AREA

For the reasons set forth in an accompanying opinion, which has been filed with the Division of the Federal Register, and pursuant to the provisions of General Order No. 68 and of Regional Basic Order No. 1-B; It is hereby ordered, That:

(a) Table I of Order No. G-67 be amended to read as set forth in the price list marked Table I, which is annexed to and made a part of this order.

TABLE I TO ORDER NO. G-67 UNDER GENERAL ORDER NO. 68 MAXIMUM PRICES FOR SALES OF LISTED HARD BUILDING MATERIALS IN THE COVINGTON, KENTUCKY AREA

Commodity	Unit	Maximum retail price (to persons other than contractors)	Maximum price to contractors
Plaster:			
Hard wall.....	100-lb bag.....	\$1.07	\$0.97
Gauging.....	100-lb. bag.....	1.52	1.37
Moulding.....	100-lb. bag.....	1.52	1.37
Keene's cement.....	100-lb. bag.....	2.40	2.16
Finishing lime.....	50-lb. bag.....	.616	.56
Gypsum lath, 3/4 in.....	Sq. ft.....	.023 1/2	.025
Metal lath:			
2.2-lb. painted diamond mesh.....	Sq. yd.....	.2787	.2341
2.5-lb. painted diamond mesh.....	Sq. yd.....	.2899	.2564
3.4-lb. painted diamond mesh.....	Sq. yd.....	.3420	.286
2.75-lb. flat rib painted.....	Sq. yd.....	.3190	.2860
Corner bead expanded type.....	Lin. ft.....	.04815	.0423
Portland cement, standard (paper bag).....	94-lb. bag.....	.855	.765
Masonry mortar (paper sack).....	75-lb. bag.....	.695	.625
Mason's hydrated lime.....	50-lb. bag.....	.616	.56
Waterproof cement (gray).....	94-lb. bag.....	1.165	1.055
Clay drain tile:			
3 in.....	Lin. ft.....	.08	.054
4 in.....	Lin. ft.....	.0808	.0737
6 in.....	Lin. ft.....	.1566	.1409
Vitrified clay sewer pipe No. 18S:			
4 in.....	Lin. ft.....	.2428	.2166
6 in.....	Lin. ft.....	.3539	.3163
Flue lining:			
4 1/2 in. x 8 1/2 in.....	Lin. ft.....	.3556	.3174
9 in. x 9 in.....	Lin. ft.....	.4856	.4332
9 in. x 13 in.....	Lin. ft.....	.7284	.6509
13 in. x 13 in.....	Lin. ft.....	.9808	.8316
Gypsum wallboard, 3/4 in.....	Sq. ft.....	.043 1/2	.04
Asphalt roofing, 90-lb. mineral surface.....	108 sq. ft. roll.....	2.65	2.52
Asphalt or tarred felt:			
15 lb.....	432 sq. ft. roll.....	2.61	2.61
30 lb.....	216 sq. ft. roll.....	2.61	2.61
Asphalt shingles:			
210 lb. (3 in. 1) thickbutt.....	100 sq. ft.....	5.92	5.34
165 lb. 2 tab hexagon.....	100 sq. ft.....	4.83	4.40
Fibre insulation board:			
1/2 in. standard, lath and board.....	Sq. ft.....	.0483	.0462
3/4 in. asphalt sheathing.....	Sq. ft.....	.075	.0702
Asbestos cement siding, 12 in. x 24 in. or 27 in. standard colors.....	100 sq. ft.....	8.19	7.72
Asbestos cement roofing shingles, economy cut.....	100 sq. ft.....	9.83	9.83
Standard density synthetic fibre board, 3/4 in. (4 x 8).....	Sq. ft.....	.071 1/2	.0675
Hard density synthetic fibre board 1.8 in. tempered (standard size).....	Sq. ft.....	.08	.07
Thermal insulation blankets (paper backed):			
Medium.....	Sq. ft.....	.044	.04
Thick.....	Sq. ft.....	.06	.054
Thermal insulation batts (paper backed):			
2 in. Thick.....	Sq. ft.....	.054	.048
Full-thick.....	Sq. ft.....	.053 1/2	.05
Thermal insulation loose in bags:			
Plain.....	40-lb. bag.....	1.00	.90
Nodulated.....	40-lb. bag.....	1.20	1.08

(b) Where the amendment or order, which grants your supplier an increase in his maximum price, provides that all resellers (including those subject to area orders issued under General Order No. 68) may increase their maximum price for the commodity in question, you may increase the price listed in this amendment by the amount permitted for resellers by the amendment or order increasing your supplier's maximum price. This can be done only if the effective date of the action increasing your supplier's maximum price is later than the date stated on the price list contained in this amendment.

(c) This amendment reflects the increase in maximum prices permitted by Supplementary Order 172 (Modification of resellers maximum prices established under General Order No. 68 for certain building and construction materials). Accordingly this amendment supersedes that supplementary order, and the maximum prices established by this amendment cannot be increased under that supplementary order.

(d) This amendment No. 1 to Order No. G-67 shall become effective August 19, 1946.

Issued August 19, 1946.

J. F. KESSEL,
Regional Administrator.

Delivery: (1) The maximum prices listed in Table I, above, include free delivery,

OPINION ACCOMPANYING AMENDMENT NO. 1
TO ORDER NO. G-67 UNDER REVISED GENERAL
ORDER NO. 68

General Order No. 68 provides that the Regional Administrator may establish, by area orders, dollars-and-cents maximum prices for commodities under the jurisdiction of the Building and Construction Price Division of the Office of Price Administration. Such prices are not to exceed the general level of prices in the particular area and may be adjusted from time to time if the prices, previously established by area order, are, in the opinion of the Regional Administrator, no longer fair and equitable.

Since the issuance of the latest price list for hard building materials in this area, there have been price increases granted to manufacturers by the Office of Price Administration which, in turn, have resulted in higher acquisition costs to the retailers. Furthermore, section 10 (t) of the Emergency Price Control Act, as amended, provides that retail distributors shall be allowed their average percentage mark-up, as of March 31, 1946, over their average current acquisition costs.

In order to meet the requirements of section 10 (t) and to maintain maximum prices which are fair and equitable, the accompanying amendment is being issued.

In the opinion of the Regional Administrator, the provisions of the accompanying amendment are fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of General Order No. 68, as amended.

[F. R. Doc. 46-17256; Filed, Sept. 24, 1946;
10:04 a. m.]

[Region III Order G-54 Under MPR 592]

STANDARD CONCRETE PIPE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation No. 592 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *What this order does.* This Order No. G-54 under section 16 of Maximum Price Regulation No. 592 provides for an adjustment of maximum prices for the sale of concrete pipe produced by the Standard Concrete Pipe Company of South Bend, Indiana, hereinafter referred to as the manufacturer. The maximum prices of the manufacturer and the maximum prices of the resellers of such commodity are adjusted herein.

(b) *Manufacturer's adjusted maximum prices.* The adjusted maximum prices for sales by the manufacturer of concrete pipe produced by it shall be its maximum prices in effect on June 13, 1946, to each class of purchaser, increased by 19%.

(c) *Reseller's adjusted maximum prices.* Any reseller of the commodity for which an adjustment is granted the manufacturer in (b) above may add to his maximum prices in effect on June 13,

1946, to each class of purchaser, the percentage amount of increase in his net invoiced cost resulting from the increase granted the manufacturer by this order.

(d) *Discounts, allowances and special charges.* All sellers of the subject commodity must continue to maintain discounts, allowances and other price differentials to each class of purchaser at least as favorable as those which were in effect on June 13, 1946, and are permitted to add to their maximum prices, as adjusted herein, such charges for extras as were customarily added on June 13, 1946.

(e) *Notification.* The manufacturer, at or prior to the first billing reflecting the adjustment herein granted, shall send to each purchaser who resells the commodities covered by this order, a notice of the price increases authorized by this order. Such notice shall contain substantially the following:

Order No. G-54 under section 16 of Maximum Price Regulation No. 592 provides for an adjustment of maximum prices for the sale of concrete pipe produced by the Standard Concrete Pipe Company. Resellers may add to their maximum prices in effect on June 13, 1946, to each class of purchaser the percentage amount of increase in their net invoiced cost resulting from the increase granted to the manufacturer by this order.

(f) *Revocation and amendment.* This order may be revoked or amended at any time by the Office of Price Administration.

This order shall become effective September 11, 1946.

Issued September 11, 1946.

JOHN F. KESSEL,
Regional Administrator.

OPINION ACCOMPANYING ORDER NO. G-54
UNDER SECTION 16 OF MAXIMUM PRICE
REGULATION NO. 592

The accompanying Order No. G-54 under section 16 of Maximum Price Regulation No. 592 provides for an adjustment of the maximum prices of concrete pipe produced by the Standard Concrete Pipe Company of South Bend, Indiana (therein referred to as the manufacturer), and further provides for an adjustment of the maximum prices of resellers of such commodity.

Maximum Price Regulation No. 592 authorizes the Regional Administrator, upon application, to adjust the maximum prices of certain commodities, including concrete pipe, which are produced by a supplier whose supply of the commodities could not be replaced if the supplier discontinued production. Investigation has shown that the manufacturer is such a supplier.

The adjustment requested by the manufacturer is an over-all adjustment of its maximum prices of concrete pipe, by which, under the provisions of section 16 of Maximum Price Regulation No. 592, the Regional Administrator may authorize increases in the maximum prices of the manufacturer's commodity in an amount sufficient to permit the recovery of total costs plus a reasonable margin of profit.

Analysis of the financial data submitted by the manufacturer discloses that it is not realizing total costs plus a

reasonable margin of profit. It is, therefore, concluded that an adjustment should be granted. It is considered that the adjustment granted, while constituting the minimum required, is sufficient to enable the manufacturer to maintain a continued supply of the subject commodity.

It has been determined that resellers of the subject commodity would be unable to absorb the increase granted to the manufacturer and, accordingly, it is provided in the order that any reseller may add to his maximum prices in effect on June 13, 1946, to each class of purchaser, the percentage amount of increase in his net invoiced cost resulting from the increases granted the manufacturer by such order.

The price increases established in the accompanying order are considered generally fair and equitable in accordance with the provisions of Maximum Price Regulation No. 592 and consistent with the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17251; Filed, Sept. 24, 1946;
8:58 a. m.]

[Region III, Order G-55 Under MPR 592]

INDEPENDENT CONCRETE PIPE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation No. 592 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *What this order does.* This Order No. G-55 under section 16 of Maximum Price Regulation No. 592 provides for an adjustment of maximum prices for the sale of concrete pipe produced by the Independent Concrete Pipe Company, Indianapolis, Indiana, hereinafter referred to as the manufacturer. The maximum prices of the manufacturer and the maximum prices of the resellers of such commodity are adjusted herein.

(b) *Manufacturer's adjusted maximum prices.* The adjusted maximum prices for sales by the manufacturer of concrete pipe produced by it shall be its maximum prices in effect on June 13, 1946, to each class of purchaser, increased by 4.5%.

(c) *Resellers' adjusted maximum prices.* Any reseller of the commodity for which an adjustment is granted the manufacturer in (b) above may add to his maximum prices in effect on June 13, 1946, to each class of purchaser, the percentage amount of increase in his net invoiced cost resulting from the increase granted the manufacturer by this order.

(d) *Discounts, allowances and special charges.* All sellers of the subject commodity must continue to maintain discounts, allowances and other price differentials, to each class of purchaser, at least as favorable as those which were in effect on June 13, 1946, and are permitted to add to their maximum prices, as adjusted herein, such charges for extras as were customarily added on June 13, 1946.

(e) *Notification.* The manufacturer, at or prior to the first billing reflecting

the adjustment herein granted, shall send to each purchaser who resells the commodity covered by this order, a notice of the price increases authorized by this order. Such notice shall contain substantially the following:

Order No. G-55 under section 16 of Maximum Price Regulation No. 592 provides for an adjustment of maximum prices for the sale of concrete pipe produced by the Independent Concrete Pipe Company. Resellers may add to their maximum prices in effect on June 13, 1946, to each class of purchaser the percentage amount of increase in their net invoiced cost resulting from the increase granted to the manufacturer by this order.

(f) *Revocation and amendment.* This order may be revoked or amended at any time by the Office of Price Administration.

This order shall become effective September 11, 1946.

Issued September 11, 1946.

JOHN F. KESSEL,
Regional Administrator.

OPINION ACCOMPANYING ORDER NO. G-55
UNDER SECTION 16 OF MAXIMUM PRICE
REGULATION NO. 592

The accompanying Order No. G-55 under section 16 of Maximum Price Regulation No. 592 provides for an adjustment of the maximum prices of concrete pipe produced by the Independent Concrete Pipe Company of Indianapolis, Indiana (therein referred to as the manufacturer), and further provides for an adjustment of the maximum prices of resellers of such commodity.

Maximum Price Regulation No. 592 authorizes the Regional Administrator, upon application, to adjust the maximum prices of certain commodities, including concrete pipe, which are produced by a supplier whose supply of the commodities could not be replaced if the supplier discontinued production. Investigation has shown that the manufacturer is such a supplier.

The adjustment requested by the manufacturer is an over-all adjustment of its maximum prices of concrete pipe, by which, under the provisions of section 16 of Maximum Price Regulation No. 592, the Regional Administrator may authorize increases in the maximum prices of the manufacturer's commodity in an amount sufficient to permit the recovery of total costs plus a reasonable margin of profit.

Analysis of the financial data submitted by the manufacturer discloses that it is not realizing total costs plus a reasonable margin of profit. It is, therefore, concluded that an adjustment should be granted. It is considered that the adjustment granted, while constituting the minimum required, is sufficient to enable the manufacturer to maintain a continued supply of the subject commodity.

It has been determined that resellers of the subject commodity would be unable to absorb the increase granted to the manufacturer and, accordingly, it is provided in the order that any reseller may add to his maximum prices in effect on June 13, 1946, to each class of purchaser, the percentage amount of increase in his net invoiced cost resulting

from the increases granted the manufacturer by such order.

The price increases established in the accompanying order are considered generally fair and equitable in accordance with the provisions of Maximum Price Regulation No. 592 and consistent with the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17252; Filed, Sept. 24, 1946;
8:59 a. m.]

[Region III, Order G-57 Under MPR 592]

BEREA TILE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation No. 592 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *What this order does.* This Order No. G-57 under section 16 of Maximum Price Regulation No. 592 provides for an adjustment of maximum prices for the sale of structural tile produced by the Berea Tile Company of Berea, Ohio, hereinafter referred to as the manufacturer. The maximum prices of the manufacturer and the maximum prices of the resellers of such commodity are adjusted herein.

(b) *Manufacturer's adjusted maximum prices.* The adjusted maximum prices for sales by the manufacturer of structural tile produced by it shall be its maximum prices in effect on August 29, 1946, to each class of purchaser, increased by \$.225 per ton.

(c) *Resellers' adjusted maximum prices.* Any reseller of the commodity for which an adjustment is granted the manufacturer in (b) above may add to his maximum prices in effect on August 29, 1946, to each class of purchaser, the percentage amount of increase in his net invoiced cost resulting from the increase granted the manufacturer by this order provided that such reseller's maximum prices were not established under an area pricing order fixing specific maximum prices.

(d) *Discounts, allowances and special charges.* All sellers of the subject commodity must continue to maintain discounts, allowances and other price differentials to each class of purchaser at least as favorable as those which were in effect on August 29, 1946, and are permitted to add to their maximum prices, as adjusted herein, such charges for extras as were customarily added on August 29, 1946.

(e) *Notification.* The manufacturer, at or prior to the first billing reflecting the adjustment herein granted, shall send to each purchaser who resells the commodity covered by this order, a notice of the price increases authorized by this order. Such notice shall contain substantially the following:

Order No. G-57 under section 16 of Maximum Price Regulation No. 592 provides for an adjustment of maximum prices for the sale of structural tile produced by the Berea Tile Company. Resellers may add to their maximum prices in effect on August 29, 1946, to each class of purchaser, the percentage amount of increase in their net invoiced cost

resulting from the increase granted to the manufacturer by this order: *Provided*, That such resellers' maximum prices were not established under an area pricing order fixing specific maximum prices.

(f) *Revocation and amendment.* This order may be revoked or amended at any time by the Office of Price Administration.

This order shall become effective September 11, 1946.

Issued September 11, 1946.

JOHN F. KESSEL,
Regional Administrator.

OPINION ACCOMPANYING ORDER NO. G-57
UNDER SECTION 16 OF MAXIMUM PRICE
REGULATION NO. 592

The accompanying order No. G-57 under section 16 of Maximum Price Regulation No. 592 provides for an adjustment of the maximum prices of structural tile produced by the Berea Tile Company of Berea, Ohio, (therein referred to as the manufacturer) and further provides for an adjustment of the maximum prices of resellers of such commodity.

The facts in this case indicate that applicant has met the requirement of section 16 (b) (1) of Maximum Price Regulation No. 592. Under the circumstances applicant is eligible for relief within general limits set forth in section 16 (c) of the regulation. The latter section provides for various adjustments depending upon the applicant's over-all profitability. The Office of Price Administration in the interest of expedient action upon wage-price applications, has completed studies of this industry generally and is, in the instance of this and other similar applications, applying to individual applications determinations which generally accord with the tests set forth in section 16 (c) and are in conformance with the policy of the Office of Price Administration. The adjustment granted in the accompanying order will compensate the applicant only for the portion of the approved wage and/or salary increase which cannot be absorbed out of the adjustment of industry-wide applicability permitted under section 2.1 (k) of Order 1 under Maximum Price Regulation No. 592, originally issued by the Office of Price Administration National Office on September 18, 1945.

In accordance with the policy of the Office of Price Administration in individual cases where the proportion of an industry's total output affected by individual adjustments is relatively small, it is not considered feasible to make the test of absorption by resellers. Under the circumstances, it is considered appropriate to permit resellers of the subject commodity to increase their established maximum prices by the percentage amount of increase in their net invoiced costs resulting from the increase granted the manufacturer by such order. The accompanying order does not, however, permit resellers to increase their maximum prices where such prices are established under dollar-and-cents area pricing orders. In the latter case consideration will be given, by the appropriate issuing office, to the ability of resellers in each area to absorb the additional cost.

The price increases established in the accompanying order are considered generally fair and equitable in accordance with the provisions of Maximum Price Regulation No. 592 and consistent with the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17253; Filed, Sept. 24, 1946; 8:59 a. m.]

[Region VI Order G-3 Under Gen. Order 68, Amdt. 1]

CONCRETE MASONRY UNITS IN CHICAGO REGION

An opinion accompany this amendment has been issued simultaneously herewith. Regional Order No. G-3 under General Order No. 68 is amended in the following respect:

In Appendix A, *Manufacturers maximum prices on concrete masonry units*, Table V, line 12 is amended to read as follows:

Size (inches)	F. o. b. plant	Delivered
12 x 4 x 16.....	\$228.00	\$254.00

This Amendment No. 1 to Regional Order No. G-3 under General Order No. 68 shall become effective immediately.

Issued this 20th day of August 1946.

EARL W. CLARK,
Regional Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 1 TO REGIONAL ORDER NO. G-3 UNDER GENERAL ORDER NO. 68

In line 12, Table V of Appendix A of Regional Order No. G-3 under General Order No. 68 issued on June 14, 1946, the delivered price of the 12" x 4" x 16" concrete block was incorrectly shown.

This present amendment is issued to make the correction. The price set forth does not exceed the general price level as fixed by the regulation which would otherwise be applicable.

The provision of this amendment to Regional Order No. G-3 under General Order No. 68 is deemed to be fair and equitable and in accordance with the provisions and purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17160; Filed, Sept. 24, 1946; 8:55 a. m.]

[Twin Cities Rev. Order G-2 Under Gen. Order 68, Amdt. 2]

HARD BUILDING MATERIALS IN MINNEAPOLIS, MINN., AREA

For the reasons set forth in the accompanying opinion issued simultaneously herewith and pursuant to the provisions of General Order No. 68 and to the authority duly vested in the District Director of the Twin Cities District Office of the Office of Price Administration, *It is ordered:*

(a) Appendix A to Revised Order No. G-2 shall be amended to read as follows:

Commodity and unit	Maximum price
Plaster, hard wall, paper sack.....	\$0.95
Plaster, moulding, paper sack.....	1.20
Plaster, gauging, White Star or similar (white), per ton.....	24.00
Plaster, gauging, Fort Dodge or similar (gray), per bag.....	.95
Keene's cement, paper sack.....	1.75
Portland cement, standard, cloth bag.....	.85
Portland cement, white, paper sack.....	2.12½
Hi-Early cement, paper bag.....	.96¼
Finishing lime, paper sack.....	.65
Masonry mortar, cloth bag.....	.70
Metal lath, 2.5 lb., painted, diamond mesh, 26 gauge, sq. yd.....	.25
Metal lath, 3.4 lb., painted, diamond mesh, 24 gauge, sq. yd.....	.30
Metal lath, 3.4 lb., galvanized, 24 gauge, sq. yd.....	.34
Metal lath, 3.4 lb., copper bearing, sq. yd.....	.31
Metal lath, corner bead straight edges, per lin. ft.....	.037
Metal lath, expanded type, per lin. ft.....	.042
Mason's hydrated lime, 50 lb. paper sack.....	.40
Gypsum rock lath, ¾", sq. yd.....	.23
Gypsum block-partitions, 3" hollow, sq. ft.....	.07
Gypsum block-partition, 4" hollow, sq. ft.....	.10
Clay drain tile, 4", lin. ft.....	.08
Clay drain tile, 6", lin. ft.....	.10
Vitrified clay sewer pipe, 4", lin. ft.....	.23
Vitrified clay sewer pipe, 6", lin. ft.....	.26
Flue lining, 8 x 8, lin. ft.....	.40
Flue lining, 8 x 12, lin. ft.....	.54
Flue lining, 12 x 12, lin. ft.....	.70
Hollow building tile, partition 4 x 12 x 12, per M.....	103.50
Hollow building tile, 5 x 8 x 12 load bearing, per M.....	103.50
Fire clay—paper bags, per bag.....	1.12

The above maximum prices are subject to all discounts, allowances, free deliveries or other price differentials in effect prior to the issuance of the order.

(b) This Amendment No. 2 to Revised Order No. G-2 under General Order No. 68 shall become effective June 22, 1946.

Issued this 20th day of June 1946.

CAREL C. KOCH,
District Director.

OPINION ACCOMPANYING AMENDMENT NO. 2 TO REVISED ORDER NO. G-2 UNDER GENERAL ORDER NO. 68

Pursuant to the provisions of General Order No. 68, under which authority Revised Order No. G-2 was issued, dollars and cents ceiling prices may be adjusted when such prices are no longer fair and equitable in the area covered by the order. On June 10, 1946, ceilings of manufacturers of metal lath and accessories were increased by a dollar and cent amount over their October 1, 1941 prices. Evidence submitted to this office by resellers of the items indicates that manufacturers have lawfully increased their maximum prices to such sellers. Consequently, the maximum prices set by

the order are no longer fair and equitable and require adjustment which reflects such increased cost to the re-sellers. The accompanying amendment accomplishes that result.

[F. R. Doc. 46-17168; Filed, Sept. 24, 1946; 9:00 a. m.]

[Twin Cities Order G-5 Under Gen. Order 68, Amdt. 1]

HARD BUILDING MATERIALS IN CENTRAL MINNESOTA AREA

For the reasons set forth in the accompanying opinion issued simultaneously herewith, *It is ordered:*

1. The heading of Order No. 5 is hereby amended to read as set forth above.

2. The appendix is hereby amended to read as set forth below.

3. This amendment shall become effective July 31, 1946.

4. Issued this 29th day of July, 1946.

CAREL C. KOCH,
District Director.

APPENDIX

Commodity and unit	Maximum prices
Hardwall plaster, paper bag.....	\$1.25
Plaster, gauging, paper bag.....	1.30
Plaster, moulding, paper bag.....	1.65
Keene's cement, 100-lb. paper bag.....	2.75
Finishing lime, 50-lb. paper bag.....	.85
Gypsum lath, ¾", sq. ft.....	.03
Metal lath, 2.5 lb. pdm (26 ga), sq. yd.....	.31
Metal lath, 2.5 lb. galv. (26 ga), sq. yd.....	.36
Metal lath, 3.4 lb. pdm (24 ga), sq. yd.....	.38
Metal lath, 3.4 lb. galv. (24 ga), sq. yd.....	.42
Metal lath, corner bead, straight edge, lin. ft.....	.052
Portland cement, paper bag.....	.79
Masonry mortar, paper bag.....	.72
Mason's hydrated lime, 50-lb. paper bag.....	.65
Portland cement, white, paper bag.....	2.75
Fireclay, paper bag.....	2.00
Clay drain tile, 4", per ft.....	.06
Gypsum wallboard, ¾", sq. ft.....	.045
Gypsum wallboard, ½", sq. ft.....	.05
Gypsum sheathing, ½", sq. ft.....	.045
Asphalt roofing, mineral surface, 90 lb. per roll.....	3.04
Asphalt or tarred felt, 15 lb., 442 sq. ft. roll, per roll.....	2.93
Asphalt or tarred felt, 30 lb., 216 sq. ft., per roll.....	2.93
Fibre insulation board, ½" std., lath and board, sq. ft.....	.055
Hard density synthetic fibre board, ½" tempered, std. size, sq. ft.....	.10
Thermal insulation blanket (paper backed) single (balsam wool), sq. ft.....	.05
Thermal insulation blanket (paper backed) medium (balsam wool), sq. ft.....	.055
Thermal insulation blanket (paper backed) thick (balsam wool), sq. ft.....	.07
Thermal insulation batts (paper backed) 2" thick, sq. ft.....	.05
Thermal insulation batts (paper backed) full, thick, sq. ft.....	.07
Thermal insulation (loose in bags) plain, 35 lb. bag.....	1.10

The above maximum prices are subject to all discounts, allowances, free deliveries or

other price differentials required to be maintained by the maximum price regulations covering the items listed above prior to the issuance of this order.

OPINION ACCOMPANYING AMENDMENT NO. 1
TO ORDER NO. G-5 UNDER GENERAL ORDER
NO. 68

Pursuant to the provisions of General Order No. 68 under which authority Order No. 5 was issued, dollars and cents ceiling prices may be adjusted when such prices are no longer fair and equitable in the area covered by the order. On June 10, 1946, ceilings of manufacturers of metal lath and accessories were increased by a dollar and cent amount over their October 1, 1941 prices. Recently ceilings of manufacturers of asphalt roofing products were increased. Evidence submitted to this office by resellers of the items indicated that manufacturers have lawfully increased their maximum prices to such sellers. Although the amendment to Order No. 1 under Maximum Price Regulation 592 and that to Revised Price Schedule 45 permitted resellers to adjust their maximum prices by the actual dollars and cents amount by which their cost advanced by reason of the mentioned amendments, Order No. 5 under General Order No. 68 precludes such action. Consequently, the maximum prices set by the order are no longer fair and equitable and require adjustment which reflects such increased cost to the resellers. The accompanying amendment accomplishes that result.

Orders issued pursuant to general orders, such as General Order No. 68, are prefixed by the letter G. Inadvertently Order No. 5 failed to carry such designation. The accompanying amendment makes the necessary correction in the heading of the order.

[F. R. Doc. 46-17166; Filed, Sept. 24, 1946;
9:00 a. m.]

[Twin Cities Order G-6 Under Gen. Order 68]

HARD BUILDING MATERIALS IN WINONA,
MINN., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68 and to the authority duly vested in the District Director of the Twin Cities District Office of the Office of Price Administration, it is ordered:

SECTION 1. What this order covers. This order covers all retail sales made by any seller, except the manufacturer, of commodities specified in Appendix A, attached hereto, delivered to the purchaser in the Winona, Minnesota Area. The Winona, Minnesota Area for the purpose of this order shall be and constitute the City of Winona, in the County of Winona, in the State of Minnesota.

SEC. 2. Definitions—(a) Retail sales. For the purpose of this order, a retail sale means a sale to an ultimate user, or to any contractor; provided that for the purpose of this order, a "retail sale" shall not include any sale to the United States Government or any of its political subdivisions.

(b) **Contractors.** Any person who sells material or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

(c) **Applicators.** Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

SEC. 3. Relation to other regulations. The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendix A. Except to the extent they are inconsistent with the provisions of this order, all other provisions of the regulations applicable to the commodities listed in Appendix A prior to the issuance of this order shall continue to apply to sales covered by this order.

SEC. 4. Maximum price, discounts and delivery practices. On and after the date of this order, regardless of any contract, agreement or other obligation, no person covered by this order shall sell, offer to sell, or deliver at retail as herein defined, any of the items listed in Appendix A, attached hereto, at prices higher than the maximum prices set forth in this appendix. All prices are subject to all discounts, allowances, free deliveries, or other price differentials required to be maintained by the maximum price regulations covering the commodities listed in Appendix A prior to the issuance of this order.

SEC. 5. Posting. Every seller making sales covered by this order shall post a copy of the list of maximum prices for sales of the commodities contained in Appendix A of this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. In addition, he shall, if requested by any purchaser, make available to the purchaser for inspection his copy of this order including Appendix A containing the list of maximum prices. There is attached to this order for your convenience, two copies of its appendix containing the items covered with respective maximum prices applicable. One such copy of such list may be detached and used as a poster hereinbefore required to be posted.

SEC. 6. Sales slips and records. Every seller covered by this order must provide the purchaser, whether he requests it or not, with a sales slip, invoice, receipt, or other evidence of sale of which an exact and full copy shall be retained by the seller for the duration of the Emergency Price Control Act of 1942, as amended. The sales slip or other evidence of sale shall contain the following information with respect to items subject to this order.

1. Name and address of seller.
2. Date of sale.
3. Name and address of purchaser (necessary only on sales of items totaling \$7.50 or more).
4. Description of the item sold, including quantity, grade, and any other matter insofar as any of these matters may effect the price, in full detail necessary to permit the exact calculation of the applicable maximum price.
5. Charge, if any, for delivery beyond the free delivery zone (to be separately listed from the price of the item).
6. The total price.

Each such seller shall also keep such records of each sale as he customarily kept.

SEC. 7. On and after the effective date of this order any person covered by this order who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions, of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended.

No person subject to this order may evade any of the provisions of the order by any stratagem, scheme, or device. No person subject to this order, may as a condition of selling any particular building material, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

SEC. 8. Appendix A. Appendix A, Maximum Prices for Retail Sales of Hard Building Materials in the Winona, Minnesota Area, is attached hereto and made a part hereof.

This order may be modified, amended, or revoked at any time.

This order shall become effective July 29, 1946.

Issued this 26th day of July 1946.

CAREL C. KOCH,
District Director.

APPENDIX A

MAXIMUM DELIVERED OR F. O. B. YARD PRICES TO
CONSUMERS AND CONTRACTORS

Item and unit	Maximum prices
Hardwall plaster, paper bag.....	\$1.00
Plaster, gauging, paper bag.....	1.70
Keene's cement, 100 lb. bag.....	2.00
Finishing lime, 50 lb. paper bag.....	.70
Gypsum lath, 3/8", per sq. yd.....	.28
Portland cement, paper bag.....	.85
Portland cement, cloth bag.....	.90
Masonry mortar, paper bag.....	.75
Mason's hydrated lime, 50 lb. paper bag.....	.50
Portland cement, white, paper bag.....	2.25
Hi-Early cement, 50 lb. paper bag.....	1.00
Vitrified clay sewer pipe, 4", lin. ft.....	.265
Vitrified clay sewer pipe, 6", lin. ft.....	.37
Flue lining, 9" x 9", lin. ft.....	.53
Flue lining, 9" x 13", lin. ft.....	.72
Flue lining, 13" x 13", lin. ft.....	.95
Gypsum wall board, 3/8", per sq. ft.....	.045
Gypsum wall board, 1/2", per sq. ft.....	.05
Asphalt roofing, mineral surface, 90 lb. roll, per roll.....	3.04
Asphalt or tarred felt, 15 lb., 432 sq. ft., per roll.....	2.83
Asphalt or tarred felt, 30 lb., 216 sq. ft., per roll.....	2.83
Asphalt shingles, 210 lb. (3 in 1), thick butt, per 100 sq. ft.....	7.07

APPENDIX A—Continued

MAXIMUM DELIVERED OR F. O. B. YARD PRICES TO CONSUMERS AND CONTRACTORS—Continued

Item and unit	Maximum prices
Asphalt shingles, 165 lb., 2-tax hex., per 100 sq. ft.	\$5.50
Fibre insulation board, 1/2", lath and board, per sq. ft.	.055
Fibre insulation board, 3/4", asphalt sheathing, per sq. ft.	.079
Asphalt cement siding—standard colors, 12" x 24" or 27", per sq. ft.	.10
Hard density synthetic fibre board, 1/2 lb., tempered (standard size), per sq. ft.	.10
Thermal insulation batts, paper backed, 2" thick, per sq. ft.	.055
Therman insulation batts, paper backed, full thick, per sq. ft.	.08
Thermal insulation, plain, loose in bags, per bag	1.15

OPINION ACCOMPANYING ORDER NO. G-6 UNDER GENERAL ORDER NO. 68

General Order No. 68, issued by the Price Administrator, as amended by Amendment 3 effective January 30, 1946, authorizes each Regional Administrator of the Office of Price Administration and any District Director who may be authorized by the Regional Administrator to issue and put into effect orders establishing maximum prices, applicable to a particular community or defined area for sales by all persons of commodities under the jurisdiction of the Building Materials and Construction Price Branch.

Maximum prices for the commodities in question are, at the manufacturing level, established by specific regulations. Maximum prices for resellers are generally established under the General Maximum Price Regulation or on the basis of such prices. The General Maximum Price Regulation freezes the prices charged during March, 1942, and provides an alternative formula pricing method for items not sold during March, 1942. The techniques of freezing prices or pricing formulae create difficulties with respect to proper compliance and enforcement which can be eliminated through the use of specific dollar-and-cents prices. In view of the lack of uniformity in prices throughout the country for the same kind of building materials, it is not always possible or desirable to spell out uniform prices for the entire country at the distribution levels. Each District Director is best fitted to appraise the needs of the communities in his area and to take appropriate action. For this reason, it has been deemed advisable for the Regional Administrator to delegate to each District Director the authority to issue and put into effect orders establishing maximum prices for areas within the bounds of his district.

This Order No. G-6 under General Order No. 68 establishes dollar-and-cents prices at retail for the commodities specified in Appendix A of the order in the Winona, Minnesota Area. Such dollar-and-cents prices will facilitate proper pricing enabling both buyers and sellers to know specific maximum prices for the listed essential building materials. The maximum prices established by the order do not exceed the general level of prices established under the applicable regulations and have been

set after full consultation with representative sellers in the area and consideration of their recommendations.

All provisions of this order and their effect upon business practices, cost practices or methods, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17165; Filed, Sept. 24, 1946; 8:58 a. m.]

[Omaha Order G-12 Under Gen. Order 68]

HARD BUILDING MATERIALS IN NORTHWESTERN NEBRASKA AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68; it is ordered:

SECTION 1. What this order covers. This order covers all retail sales of commodities specified in Appendix A below made by any seller, except a manufacturer, delivered to the purchaser in the northwestern Nebraska Area. The Northwestern Nebraska Area, for the purposes of this order, consists of the following named counties in Nebraska: Sioux, Dawes, Box Butte, Sheridan, Cherry, Scottsbluff, Banner, Kimball, Morrill, Cheyenne, Garden, Deuel, Keyapaha, Brown, Rock.

SEC. 2. Definitions.—(a) *Retail sale.* For the purposes of this order, a retail sale means a sale to an ultimate user, or to any contractor; *Provided*, That for the purposes of this order, a "retail sale" shall not include any sale to the United States Government or any of its political sub-divisions.

(b) *Contractor.* Any person who sells material or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

(c) *Applicators.* Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

SEC. 3. Relation to other regulations. The maximum prices fixed by this order supersede any maximum price or pricing

method previously fixed by any other regulation or order covering the commodities specified in Appendix A. Except to the extent they are inconsistent with the provisions of this order, all other provisions of the regulation applicable to the commodities listed in Appendix A prior to the issuance of this order shall continue to apply to sales covered by this order.

SEC. 4. Discounts, allowances and delivery practices. The provisions relating to discounts, allowances and delivery practices shall be as set forth in Appendix A (Table of prices).

SEC. 5. Posting of maximum prices. Every seller making sales covered by this order shall post a copy of Appendix A to this order (Table of prices) and any amendments thereto, in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. There is attached to this order for your convenience two copies of Appendix A containing the items covered with the respective maximum prices applicable. One such copy of such list may be detached and used as a poster hereinbefore required to be posted.

SEC. 6. Sales slips and records. Every seller covered by this order shall give to the purchaser a sales slip, receipt, or other evidence of purchase which shall show the date, name and address of the seller, the description, quantity, and the price of each item sold, said description to be in detail sufficient to determine whether the price charged has been properly computed under this order; *Provided*, That for sales of less than a total of \$7.50 only the name and address of the seller and the amount of the sale need be shown. The seller shall prepare such sales slips, receipts, or other evidence of purchase in duplicate and must keep for at least 6 months after delivery such duplicate copy delivered pursuant to this section. For any sale of \$50.00 or more each seller, regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer.
- (2) Date of transaction.
- (3) Place of delivery.
- (4) Complete description of each item sold and price charged.

APPENDIX A

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES

1. The ceiling prices set out below shall apply to sales at retail, by all sellers except manufacturers, of the listed building materials, delivered in the area covered by this order, regardless of whether the sale is on an "f. o. b. seller's premises" basis, commonly referred to as a "yard sale" or on a "delivered" basis; *provided, however*, That any seller who has an established and customary practice of making an additional charge for deliveries where the total amount of the order delivered is less than a certain minimum amount, either monetary or by weight, may add such established delivery charge to the prices otherwise established by this order where the total value or weight delivered is less than such established minimum amount; *And provided further*, That such seller shall indicate on the price list he is required to post under the provisions of this order, both his "established delivery charge" and also the "minimum amount" either monetary or by weight, to which delivery charges are applicable.

2. Each seller shall maintain his customary discounts and allowances, including cash discounts and quantity discounts to such classes of purchasers as were customarily given such discounts by the seller.

3. Any new seller who after the effective date of this order commences to sell commodities covered by the order shall adopt and use the customary discounts, allowances and applicable delivery additions of his "most closely competitive seller of the same class" as that phrase is defined in the GMPR. In such case the new seller shall keep in his place of business records showing the name and address of such competitor and the amount of such competitor's discounts, allowances and applicable delivery additions, if any, and shall otherwise observe the posting requirements of this order.

MAXIMUM DELIVERED OR F. O. B. YARD PRICES TO CONSUMERS AND CONTRACTORS

Item and unit	Ceiling price
Plaster, hard wall, 100-lb. bag-----	\$1.20
Keene cement, 100-lb. bag-----	3.00
Metal lath:	
2.5 lb. copper bearing, per sq. yd....	.38
2.5 lb. diamond mesh, per sq. yd....	.38
Expanded corner bead, per lin. ft....	.064
Scalloped corner bead, per lin. ft....	.053
Corner right, 3 x 3, per lin. ft....	.032
Gypsum lath, 3/8 inch, 1,000 sq. ft....	31.50
Gypsum wall board, 1/4 inch, 1,000 sq. ft....	40.00
Gypsum wall board, 3/8 inch, 1,000 sq. ft....	49.00
Gypsum wall board, 1/2 inch, 1,000 sq. ft....	55.00
Gypsum sheathing, 1/2 inch, 1,000 sq. ft....	45.00
Portland cement in paper bags, 94-lb. bag-----	.915
Quick-Dry cement, 94-lb. bag-----	1.115
Masonry cement, 67-lb. bag-----	.865
Atlas or medusa grade cement, 94-lb. bag-----	3.015
Mortar mix, 50-lb. bag-----	.85
Finishing lime, 50-lb. bag-----	1.40
Masons hydrated lime, 50-lb. bag-----	1.01
Masons hydrated lime, 10-lb. bag-----	.28
Lump quick lime, 190-lb. bbl-----	4.76
Pulverized quick lime, 190-lb. bbl-----	5.15
Clay drain tile, 4 inch, per lin. ft....	.40
Clay sewer pipe:	
Vitrified No. 1SS 4", per lin. ft....	.283
Vitrified No. 1SS 6", per lin. ft....	.396
Vitrified No. 1SS 8", per lin. ft....	.566
Flue lining, 9 x 9, per lin. ft....	.543
Flue lining, 9 x 13, per lin. ft....	.792
Flue lining, 13 x 13, per lin. ft....	.962
Asphalt roofing:	
Grade C label, 35 lbs., 100 sq. ft....	1.73
Grade C label, 45 lbs., 100 sq. ft....	2.36
Grade C label, 55 lbs., 100 sq. ft....	2.84
Grade C label, 65 lbs., 100 sq. ft....	3.36
90 lbs. mineral surface, 100 sq. ft....	3.70
Asphalt or tarred felt, 15 lbs. per roll, 432 sq. ft....	3.57
Asphalt or tarred felt, 30 lbs. per roll, 216 sq. ft....	3.57
Asphalt shingles, 210 lbs., 100 sq. ft....	7.77
Asphalt shingles, 165 lbs., 100 sq. ft....	6.35
Fibre insulation board, 3/8 inch, 1,000 sq. ft....	45.80
Fibre insulation board, 1/2 inch, 1,000 sq. ft....	58.58
Fibre insulation board—Asphalt coated, 25/32", 1,000 sq. ft....	91.00
Standard density—Synthetic fibre board, 1/2", 1,000 sq. ft....	75.00
Hard density—Synthetic fibre board, 1/2", 1,000 sq. ft....	100.00
Thermal insulation blankets:	
Balsam wood type, 1", 1,000 sq. ft....	55.00
Balsam wood type 2", 1,000 sq. ft....	70.00
Balsam wood type, 3 to 4", 1,000 sq. ft....	75.00
Thermal insulation bays mica base, per bag (approximately 4 cu. ft.)....	1.20

SEC. 7. On and after the effective date of this order, any person covered by this

order, who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. No persons subject to this order may evade any of the provisions of the order by any stratagem, scheme or device. No person subject to this order may, as a condition of selling any particular building material item, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

SEC. 8. This order may be modified, amended or revoked at any time.

This order shall become effective September 16, 1946.

Issued this 10th day of September 1946.

EDWIN F. MORAN,
District Director.

OPINIONS ACCOMPANYING ORDER NOS. G-12, G-13, G-14, ALL ISSUED UNDER GENERAL ORDER NO. 68

General Order No. 68, issued by the Price Administrator, as amended by Amendment 3 effective January 30, 1946, authorizes each Regional Administrator of the Office of Price Administration, and any District Director who may be authorized by the Regional Administrator, to issue and put into effect orders establishing maximum prices, applicable to a particular community or defined area, for sales by all persons of commodities under the jurisdiction of the Building Materials and Construction Price Branch. It was felt that the use of specific dollars-and-cents prices for the sale of building materials would be preferable to the "base period" pricing technique or the "pricing formulae" technique previously used and would lead to improved compliance with and enforcement of such orders and ceiling prices.

In view of the lack of uniformity in prices throughout the country for the same kinds of building materials, it is not always possible or desirable to spell out uniform prices for the entire country at the distributive levels. Each District Director is best fitted to appraise the needs of the community in his area and to take appropriate action. For this reason it has been deemed advisable for the Regional Administrator to delegate to each District Director the authority to issue and put into effect orders establishing maximum prices for areas within the bounds of this district.

The above Orders, G-12, G-13 and G-14 under General Order No. 68, establish dollars-and-cents prices at retail for the commodities listed in the appendices of such orders for sales in the Northwestern, Central and Southwestern Areas, respectively. These areas are more specifically described in the orders themselves. Such dollars-and-cents prices will facilitate proper pricing, enabling both buyers and sellers to know specific maximum prices for the listed essential building materials. The maximum prices established by the orders do not exceed the general level of prices es-

tablished under the applicable regulations, and such prices reflect recent increases given to manufacturers of certain commodities by Amendments 44, 51, 53 and 54 to Order No. 1 under MPR 592, Amendment 17 to MPR 224 and Amendment 8 to RPS 45.

All provisions of this order and their effect upon business practices, cost practices or methods, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17163; Filed, Sept. 24, 1946; 8:56 a. m.]

[Omaha Order G-13 Under Gen. Order 68]

HARD BUILDING MATERIALS IN CENTRAL NEBRASKA AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68, it is ordered:

SECTION 1. *What this order covers.* This order covers all retail sales of commodities specified in Appendix A below made by any seller, except a manufacturer, delivered to the purchaser in the Central Nebraska Area. The Central Nebraska Area, for the purposes of this order, consists of the following named counties in Nebraska: Grant, Hooker, Thomas, Arthur, McPherson, Logan, Keith, Lincoln, Perkins, Hall (except the City of Grand Island), Blaine, Loup, Garfield, Custer, Valley, Sherman, Dawson, Buffalo (except the City of Kearney).

SEC. 2. *Definitions.*—(a) *Retail sale.* For the purposes of this order, a retail sale means a sale to an ultimate user, or to any contractor; *Provided*, That for the purposes of this order, a "retail Sale" shall not include any sale to the United States Government or any of its political subdivisions.

(b) *Contractor.* Any person who sells material or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

(c) *Applicators.* Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the

business of applying roofing and/or siding and/or insulation to buildings.

Sec. 3. Relation to other regulations. The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendix A. Except to the extent they are inconsistent with the provisions of this order, all other provisions of the regulation applicable to the commodities listed in Appendix A prior to the issuance of this order shall continue to apply to sales covered by this order.

Sec. 4. Discounts, allowances and delivery practices. The provisions relating to discounts, allowances and delivery practices shall be as set forth in Appendix A (Table of prices).

Sec. 5. Posting of maximum prices. Every seller making sales covered by this order shall post a copy of Appendix A to this order (Table of prices) and any amendments thereto, in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. There is attached to this order for your convenience two copies of Appendix A containing the items covered with the respective maximum prices applicable. One such copy of such list may be detached and used as a poster hereinbefore required to be posted.

Sec. 6. Sales slips and records. Every seller covered by this order shall give to the purchaser a sales slip, receipt, or other evidence of purchase which shall show the date, name, and address of the seller, the description, quantity, and the price of each item sold, said description to be in detail sufficient to determine whether the price charged has been properly computed under this order; *Provided*, That for sales of less than a total of \$7.50 only the name and address of the seller and the amount of the sale need be shown. The seller shall prepare such sales slips, receipts, or other evidence of purchase in duplicate and must keep for at least 6 months after delivery such duplicate copy delivered pursuant to this section. For any sale of \$50.00 or more each seller, regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer.
- (2) Date of transaction.
- (3) Place of delivery.
- (4) Complete description of each item sold and price charged.

Sec. 7. On and after the effective date of this order, any person covered by this order, who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. No persons subject to this order may evade any of the provisions of the order by any stratagem, scheme or device. No person subject to this order may, as a condition of selling any particular building material item, require a customer to buy

anything else. Any such evasion is punishable as a violation of this order.

Sec. 8. This order may be modified, amended or revoked at any time.

This order shall become effective September 16, 1946.

Issued this 10th day of September 1946.

EDWIN F. MORAN,
District Director.

APPENDIX A

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES

1. The ceiling prices set out below shall apply to sales at retail, by all sellers, except manufacturers, of the listed building materials, delivered in the area covered by this order, regardless of whether the sale is on an "f. o. b. seller's premises" basis, commonly referred to as a "yard sale" or on a "delivered" basis; *Provided, however*, That any seller who has an established and customary practice of making an additional charge for deliveries where the total amount of the order delivered is less than a certain minimum amount, either monetary or by weight, may add such established delivery charge to the prices otherwise established by this order where the total value or weight delivered is less than such established minimum amount; *And provided further*, That such seller shall indicate on the price list he is required to post under the provisions of this order, both his "established delivery charge" and also the "minimum amount, either monetary or by weight, to which delivery charges are applicable."

2. Each seller shall maintain his customary discounts and allowances, including cash discounts and quantity discounts to such classes of purchasers as were customarily given such discounts by the seller.

3. Any new seller who after the effective date of this order commences to sell commodities covered by the order shall adopt and use the customary discounts, allowances and applicable delivery additions of his "most closely competitive seller of the same class", as that phrase is defined in the GMFR. In such case the new seller shall keep in his place of business records showing the name and address of such competitor and the amount of such competitor's discounts, allowances and applicable delivery additions, if any, and shall otherwise observe the posting requirements of this order.

MAXIMUM DELIVERED OR F. O. B. YARD PRICES TO CONSUMERS AND CONTRACTORS

Item and unit	Ceiling price
Plaster, hard wall, 100-lb. bag	\$1.20
Plaster, gauging, 100-lb. bag	1.40
Keene cement, 100-lb. bag	3.00
Finishing lime, 50-lb. bag	1.17
Metal lath:	
2.5 lb. copper bearing, per sq. yd.	.405
2.5 lb. diamond mesh, per sq. yd.	.387
Expanded corner bead, lineal ft.	.063
Scalloped corner bead, lineal ft.	.055
Corner right 3 x 3, lineal ft.	.082
Gypsum lath 3/8 inch, 1,000 sq. ft.	32.00
Cypsum wall board, 3/8 inch, 1,000 sq. ft.	51.00
Gypsum sheathing 1/2 inch, 1,000 sq. ft.	48.00
Portland cement paper bags, 94-lb. bag	.885
Quick-Dry cement, 94-lb. bag	1.115
Masonry cement, 67-lb. bag	.815
Atlas or Medusa grade cement, 94-lb. bag	3.015
Mortar mix, 50-lb. bag	.80
Masons hydrated lime, 50-lb. bag	1.01
Masons hydrated lime, 10-lb. bag	.28
Lump quick lime, 190-lb. bbl.	4.59
Pulverized quick lime, 190-lb. bbl.	4.93
Clay drain tile, 4 inch, per lineal ft.	.11
Clay sewer pipe:	
Vitrified No. 18S 4", per lineal ft.	.28
Vitrified No. 18S 6", per lineal ft.	.40
Flue lining, 9 x 9, per lineal ft.	.63
Flue lining, 9 x 13, per lineal ft.	.85

MAXIMUM DELIVERED OR F. O. B. YARD PRICES TO CONSUMERS AND CONTRACTORS—continued

Item and unit	Ceiling price
Flue lining, 13 x 13, per lineal ft.	\$1.08
Asphalt roofing:	
Grade C label 35 lbs., 100 sq. ft.	1.52
Grade C label 45 lbs., 100 sq. ft.	2.10
Grade C label 55 lbs., 100 sq. ft.	2.65
Grade C label 65 lbs., 100 sq. ft.	3.15
90 lb. mineral surface, 100 sq. ft.	3.32
Asphalt or tarred felt, 15 lbs., per roll, 432 sq. ft.	3.47
Asphalt or tarred felt, 30 lbs., per roll, 216 sq. ft.	3.47
Asphalt shingles, 210 lbs., 100 sq. ft.	6.62
Asphalt shingles, 165 lbs., 100 sq. ft.	5.93
Fibre insulation board, 3/8 inch, 1,000 sq. ft.	46.22
Fibre insulation board, 1/2 inch, 1,000 sq. ft.	59.12
Fibre insulation board—Asphalt coated, 3/8 inch, 1,000 sq. ft.	84.50
Standard density—Synthetic fibre board, 1/8 inch, 1,000 sq. ft.	75.00
Hard density—Synthetic fibre board, 1/8 inch, 1,000 sq. ft.	100.00
Thermal insulation blankets:	
Balsam wood type, 1", 1,000 sq. ft.	55.00
Balsam wood type, 2", 1,000 sq. ft.	70.00
Balsam wood type, 3 to 4", 1,000 sq. ft.	78.00
Thermal insulation loose mica base, 1,000 sq. ft.	1.20

OPINIONS ACCOMPANYING ORDER NOS. G-12, G-13, G-14, ALL ISSUED UNDER GENERAL ORDER NO. 68

General Order No. 68, issued by the Price Administrator, as amended by Amendment 3 effective January 30, 1946, authorizes each Regional Administrator of the Office of Price Administration, and any District Director who may be authorized by the Regional Administrator, to issue and put into effect orders establishing maximum prices, applicable to a particular community or defined area, for sales by all persons of commodities under the jurisdiction of the Building Materials and Construction Price Branch. It was felt that the use of specific dollars-and-cents prices for the sale of building materials would be preferable to the "base period" pricing technique or the "pricing formulae" technique previously used and would lead to improved compliance with and enforcement of such orders and ceiling prices.

In view of the lack of uniformity in prices throughout the country for the same kinds of building materials, it is not always possible or desirable to spell out uniform prices for the entire country at the distributive levels. Each District Director is best fitted to appraise the needs of the community in his area and to take appropriate action. For this reason it has been deemed advisable for the Regional Administrator to delegate to each District Director the authority to issue and put into effect orders establishing maximum prices for areas within the bounds of this district.

The above Orders, G-12, G-13 and G-14 under General Order No. 68, establish dollars-and-cents prices at retail for the commodities listed in the appendices of such orders for sales in the Northwestern, Central and Southwestern Areas, respectively. These areas are more specifically described in the orders themselves. Such dollars-and-cents prices will facilitate proper pricing, enabling both buyers and sellers to know specific maximum prices for the listed essential building materials. The maximum prices

established by the orders do not exceed the general level of prices established under the applicable regulations, and such prices reflect recent increases given to manufacturers of certain commodities by Amendments 44, 51, 53 and 54 to Order No. 1 under MPR 592, Amendment 17 to MPR 224 and Amendment 8 to RPS 45.

All provisions of this order and their effect upon business practices, cost practices or methods, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17176; Filed, Sept. 24, 1946; 9:06 a. m.]

[Region VI, Order G-2 Under Rev. Gen. Order 65, Amdt. 1]

SOFTWOOD LUMBER, SHINGLES AND HARDWOOD FLOORING IN CHICAGO REGION

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register, *It is ordered:*

This amendment specifically revokes in its entirety Regional Order G-2, including Appendices attached thereto, issued under the authority of Revised General Order 65 on June 3, 1946.

This Amendment 1 shall become effective immediately.

Issued this 24th day of August, 1946.

EARL W. CLARK,
Regional Administrator.

OPINION ACCOMPANYING AMENDMENT 1 TO REGIONAL ORDER G-2 UNDER REVISED GENERAL ORDER 65

In view of the tremendous number of softwood lumber, shingles, and hardwood flooring covered by the standard lists and the variance in these items from area to area, it was not possible for this office to calculate the percentage increases for individual items covered by Regional Order G-2 required under section 2 (t) of the Emergency Price Control Act of 1942, as amended, within the time limit required under this section. This amendment, accordingly, revokes in its entirety Regional Order G-2, including Appendices attached thereto, issued under the authority of Revised General Order 65 on June 3, 1946, until such time as the percentage increases required by section 2 (t) of the Emergency Price Control Act of 1942, as amended, can be calculated and converted into dollar-and-cents prices.

[F. R. Doc. 46-17158; Filed, Sept. 24, 1946; 8:55 a. m.]

[Omaha Order G-14 Under Gen. Order 68] HARD BUILDING MATERIALS IN SOUTHWESTERN NEBRASKA AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68, *it is ordered:*

SECTION 1. What this order covers. This order covers all retail sales of commodities specified in Appendix A below made by any seller, except a manufacturer, delivered to the purchaser in the Southwestern Nebraska Area. The Southwestern Nebraska Area, for the purposes of this order, consists of the following named counties in Nebraska: Chase, Hayes, Frontier, Gosper, Phelps, Kearney, Adams (except the City of Hastings), Dundy Hitchcock, Red Willow, Furnas, Harlan, Franklin, Webster.

SEC. 2. Definitions.—(a) Retail sale. For the purposes of this order, a retail sale means a sale to an ultimate user, or to any contractor; *Provided*, That for the purposes of this order, a "retail sale" shall not include any sale to the United States Government or any of its political sub-divisions.

(b) *Contractor.* Any person who sells material or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

(c) *Applicators.* Purchases by applicators, as herein defined of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

SEC. 3. Relation to other regulations. The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendix A. Except to the extent they are inconsistent with the provisions of this order, all other provisions of the regulation applicable to the commodities listed in Appendix A prior to the issuance of this order shall continue to apply to sales covered by this order.

SEC. 4. Discounts, allowances and delivery practices. The provisions relating to discounts, allowances and delivery practices shall be as set forth in Appendix A (Table of prices).

SEC. 5. Posting of maximum prices. Every seller making sales covered by this order shall post a copy of Appendix A to this order (Table of prices) and any amendments thereto, in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. There is attached to this order for your convenience two copies of Appendix A containing the items covered with the respective maximum prices applicable. One such copy of such list may be detached and used as a poster hereinbefore required to be posted.

SEC. 6. Sales slips and records. Every seller covered by this order shall give to the purchaser a sales slip, receipt, or other evidence of purchase which shall show the date, name and address of the seller, the description, quantity, and the price of each item sold, said description to be in detail sufficient to determine whether the price charged has been properly computed under this order; provided that for sales of less than a total of \$7.50 only the name and address of the seller and the amount of the sale need be shown. The seller shall prepare such sales slips, receipts, or other evidence of purchase in duplicate and must keep for at least 6 months after delivery such duplicate copy delivered pursuant to this section. For any sale of \$50.00 or more each seller, regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer.
- (2) Date of transaction.
- (3) Place of delivery.
- (4) Complete description of each item sold and price charged.

SEC. 7. On and after the effective date of this order, any person covered by this order, who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. No persons subject to this order may evade any of the provisions of the order by any stratagem, scheme or device. No person subject to this order, may, as a condition of selling any particular building material item, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

SEC. 8. This order may be modified, amended or revoked at any time.

This order shall become effective September 16, 1946.

Issued this 10th day of September 1946.

EDWIN F. MORAN,
District Director.

APPENDIX A

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES

1. The ceiling prices set out below shall apply to sales at retail, by all sellers except manufacturers, of the listed building materials, delivered in the area covered by this Order, regardless of whether the sale is on an "f. o. b. seller's premises" basis, commonly referred to as a "yard sale" or on a "delivered" basis; *Provided, however*, That any seller who has an established and customary practice of making an additional charge for deliveries where the actual amount of the order delivered is less than a certain minimum amount, either monetary or by weight, may add such established delivery charge to the prices otherwise established by this Order where the total value or weight delivered is less than such established minimum amount; *And provided further*, That such seller shall indicate on the price list he is required to post under the provisions of this Order, both his "established delivery charge" and also the "minimum amount", either monetary or by weight, to which delivery charges are applicable.

2. Each seller shall maintain his customary discounts and allowances, including cash discounts and quantity discounts to such classes of purchasers as were customarily given such discounts by the seller.

3. Any new seller who after the effective date of this Order commences to sell commodities covered by the Order shall adopt and use the customary discounts, allowances and applicable delivery additions of his "most closely competitive seller of the same class", as that phrase is defined in the GMFR. In such case the new seller shall keep in his place of business records showing the name and address of such competitor and the amount of such competitor's discounts, allowances and applicable delivery additions, if any, and shall otherwise observe the posting requirements of this Order.

MAXIMUM DELIVERED OR F. O. B. YARD PRICES TO CONSUMERS AND CONTRACTORS

Item and unit	Ceiling price
Plaster, hard wall, 100-lb. bag-----	\$1.10
Keene cement, 100-lb. bag-----	2.52
Finishing lime, 50-lb. bag-----	1.12
Metal lath:	
2.5 lb., copper bearing, per sq. yd....	.34
2.5 lb., diamond mesh, per sq. yd....	.38
Expanded corner bead, per lineal ft....	.064
Scalloped corner bead, per lineal ft....	.055
Corner right 3 x 3, per lineal ft....	.032
Gypsum lath, 3/8 inch, 1,000 sq. ft....	35.00
Gypsum wall board, 1/2 inch, 1,000 sq. ft....	40.00
Gypsum wall board, 3/8 inch, 1,000 sq. ft....	45.00
Gypsum wall board 1/2 inch, 1,000 sq. ft....	51.00
Gypsum sheathing, 1/2 inch, 1,000 sq. ft....	48.00
Portland cement, paper bags, 94-lb. bag-----	.865
Quick-dry cement, 94-lb. bag-----	1.065
Masonry cement, 67-lb. bag-----	.815
Atlas or Medusa grade cement, 94-lb. bag-----	3.015
Mortar mix, 50-lb. bag-----	.80
Masons hydrated lime, 50-lb. bag-----	1.01
Masons hydrated lime, 10-lb. bag-----	.28
Lump quick lime, 190-lb. bbl-----	4.59
Pulverized quick lime, 190-lb. bbl-----	4.48
Clay drain tile, 4 inch, per lin. ft....	.10
Clay sewer pipe:	
Vitrified No. 1SS 4", per lin. ft....	.283
Vitrified No. 1SS 6", per lin. ft....	.396
Flue lining, 9 x 9, per lin. ft....	.544
Flue lining, 9 x 13, per lin. ft....	.679
Asphalt roofing:	
Grade C label, 35 lb., 100 sq. ft....	1.63
Grade C label, 45 lb., 100 sq. ft....	2.21
Grade C label, 55 lb., 100 sq. ft....	2.63
Grade C label, 65 lb., 100 sq. ft....	3.15
90-lb., mineral surface, 100 sq. ft....	3.33
Asphalt or tarred felt, 15 lb., per roll, 432 sq. ft....	3.29
Asphalt or tarred felt, 30 lb., per roll, 216 sq. ft....	3.29
Asphalt shingles, 210 lb., 100 sq. ft....	6.98
Asphalt shingles, 165 lb., 100 sq. ft....	5.62
Fibre insulation board, 3/8 inch, 1,000 sq. ft....	50.52
Fibre insulation board, 1/2 inch, 1,000 sq. ft....	61.28
Fibre insulated board, asphalt coated, 2 1/2", 1,000 sq. ft....	84.50
Standard density, synthetic fibre board, 1/2", 1,000 sq. ft....	85.00
Hard density, synthetic fibre board, 1/2", 1,000 sq. ft....	100.00
Thermal insulation blankets:	
Balsam wood type 1", 1,000 sq. ft....	55.00
Balsam wood type 2", 1,000 sq. ft....	75.00
Balsam wood type 3 to 4", 1,000 sq. ft....	80.00
Thermal insulation, loose mica base, per bag (approximately 4 cu. ft.)--	1.25

OPINIONS ACCOMPANYING ORDERS NOS. G-12, G-13, G-14, ALL ISSUED UNDER GENERAL ORDER NO. 68

General Order No. 68, issued by the Price Administrator, as amended by Amendment 3 effective January 30, 1946, authorizes each Regional Administrator of the Office of Price Administration, and any District Director who may be authorized by the Regional Administrator, to issue and put into effect orders establishing maximum prices, applicable to a particular community or defined area, for sales by all persons of commodities under the jurisdiction of the Building Materials and Construction Price Branch. It was felt that the use of specific dollars-and-cents prices for the sale of building materials would be preferable to the "base period" pricing technique or the "pricing formulae" technique previously used and would lead to improved compliance with and enforcement of such orders and ceiling prices.

In view of the lack of uniformity in prices throughout the country for the same kinds of building materials, it is not always possible or desirable to spell out uniform prices for the entire country at the distributive levels. Each District Director is best fitted to appraise the needs of the community in his area and to take appropriate action. For this reason it has been deemed advisable for the Regional Administrator to delegate to each District Director the authority to issue and put into effect orders establishing maximum prices for areas within the bounds of this district.

The above Orders, G-12, G-13 and G-14 under General Order No. 68, establish dollars-and-cents prices at retail for the commodities listed in the appendices of such orders for sales in the Northwestern, Central and Southwestern Areas, respectively. These areas are more specifically described in the orders themselves. Such dollars-and-cents prices will facilitate proper pricing, enabling both buyers and sellers to know specific maximum prices for the listed essential building materials. The maximum prices established by the orders do not exceed the general level of prices established under the applicable regulations, and such prices reflect recent increases given to manufacturers of certain commodities by Amendments 44, 51, 53 and 54 to Order No. 1 under MPR 592, Amendment 17 to MPR 224 and Amendment 8 to RPS 45.

All provisions of this order and their effect upon business practices, cost practices or methods, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution

established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

[P. R. Doc. 46-17175; Filed, Sept. 24, 1946; 9:06 a. m.]

[Twin Cities Order G-14 Under Gen. Order 68]

HARD BUILDING MATERIALS IN NORTH CENTRAL MINNESOTA AREA

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of General Order 68 and to the authority duly vested in the District Director of the Twin Cities District Office of the Office of Price Administration, it is ordered:

SECTION 1. *What this order covers.* This order covers all retail sales made by any seller, except the manufacturer, of commodities specified in Appendix A, attached hereto, delivered to the purchaser in the North Central Minnesota Area. The North Central Minnesota Area, for the purpose of this order, shall be and constitute the Counties of Beltrami, Crow Wing, Aitkin, Pine, Cass and Kanabec, all in the State of Minnesota.

SEC. 2. *Definitions.*—(a) *Retail sales.* For the purpose of this order, a retail sale means a sale to an ultimate user, or to any contractor: *Provided that*, for the purpose of this order, a "retail sale" shall not include any sale to the United States Government or any of its political subdivisions.

(b) *Contractor.* Any person who sells materials or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

(c) *Applicators.* Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

SEC. 3. *Relation to other regulations.* The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendix A. Except to the extent they are inconsistent with the provisions of this order, all other provisions of the regulations applicable to the commodities listed in Appendix A prior to the issuance of this order shall continue to apply to sales covered by this order.

SEC. 4. *Maximum price, discounts and delivery practices.* On and after the date of this order, regardless of any contract, agreement or other obligation, no person covered by this order shall sell, offer to sell, or deliver at retail as herein defined, any of the items listed in Appendix

A, attached hereto, at prices higher than the maximum prices set forth in this appendix. All prices are subject to all discounts, allowances, free deliveries, or other price differentials required to be maintained by the maximum price regulations covering the commodities listed in Appendix A prior to the issuance of this order.

SEC. 5. *Posting.* Every seller making sales covered by this order shall post a copy of the list of maximum prices for sales of the commodities contained in Appendix A of this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. In addition, he shall, if requested by any purchaser, make available to the purchaser for inspection his copy of this order including Appendix A containing the list of maximum prices. There is attached to this order for your convenience, two copies of its appendix containing the items covered with respective maximum prices applicable. One such copy of such list may be detached and used as a poster hereinbefore required to be posted.

SEC. 6. *Sales slips and records.* Every seller covered by this order must provide the purchaser, whether he requests it or not, with a sales slip, invoice, receipt, or other evidence of sale of which an exact and full copy shall be retained by the seller for the duration of the Emergency Price Control Act of 1942, as amended. The sales slip or other evidence of sale shall contain the following information with respect to items subject to this order:

1. Name and address of seller.
2. Date of sale.
3. Name and address of purchaser (necessary only on sales of items totaling \$7.50 or more).
4. Description of the item sold, including quantity, grade, and any other matter insofar as any of these matters may effect the price, in full detail necessary to permit the exact calculation of the applicable maximum price.
5. Charge, if any, for delivery beyond the free delivery zone (to be separately listed from the price of the item).
6. The total price.

Each such seller shall also keep such records of such sale as he customarily kept.

SEC. 7. On and after the effective date of this order any person covered by this order who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceeding and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended.

No person subject to this order may evade any of the provisions of the order by any stratagem, scheme, or device. No person subject to this order, may as a condition of selling any particular building material, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

SEC. 8. *Appendix A.* Appendix A, Maximum Prices for Retail Sales of

Hard Building Materials in the North Central, Minnesota Area, is attached hereto and made a part hereof.

This order may be modified, amended or revoked at any time. It shall become effective July 29, 1946.

Issued this 26th day of July 1946.

CAREL C. KOCH,
District Director.

APPENDIX A

MAXIMUM DELIVERED OR F. O. B. YARD PRICES TO CONSUMERS AND CONTRACTORS

Item and unit	Maximum prices
Cement plaster, unfibred (neat hardwall), per bag	\$1.30
Cement plaster, wood fibre, per bag	1.28
White trowel finish plaster, per bag	2.00
Moulding plaster, gray, per bag	1.60
Gauging plaster, gray, per bag	1.80
Keene's cement, per bag	2.75
Finishing lime, per 50-lb. sack	.80
Mason's hydrated lime, 50 lb. sack	.70
Plaster lath, $\frac{3}{8}$ " thick (rock lath), per M. ft.	30.00
Wallboard gypsum, $\frac{1}{4}$ ", per M. ft.	35.00
Wallboard gypsum, $\frac{3}{8}$ ", per M. ft.	45.00
Wallboard gypsum, $\frac{1}{2}$ ", per M. ft.	50.00
Portland cement, paper, per bag	.82
Portland waterproof cement, white paper, 94 lb. bag	2.75
Masonry cement, paper bags, cu. ft. bag	.70
2.5 lb. painted diamond mesh, copper bearing metal, sq. yd.	.32
3.4 lb. painted diamond mesh, copper bearing metal, sq. yd.	.88
3.4 lb. galvanized diamond mesh, sq. yd.	.42
Expanded wide flange corner bead, lin. ft.	.052
3" corner rite, copper bearing, painted, lin. ft.	.032
Vitrified clay sewer pipe, No. 1 standard, single strength 4", per lin. ft.	.25
Vitrified clay sewer pipe, No. 1 standard, single strength 6", per lin. ft.	.36
Vitrified clay sewer pipe, No. 1 standard, single strength 8", per lin. ft.	.50
Vitrified clay sewer pipe, No. 1 standard, single strength 10", per lin. ft.	.67
Sewer pipe fittings, curves and elbows 4", each	1.06
Sewer pipe fittings, R. P. and H. H. traps 4", each	1.06
Sewer pipe fittings, increasers and reducers—4", each	1.06
Sewer pipe fittings, curves and elbows 6", each	1.45
Sewer pipe fittings, Y's or T's—6 x 4" and 6 x 6", each	1.45
Sewer pipe fittings, increasers and reducers—6", each	1.53
Sewer pipe curves and elbows—8", each	2.25
Sewer pipe fittings, Y's or T's—8 x 4" and 8 x 6", each	2.25
Sewer pipe fittings, increasers and reducers—8", each	2.25
Fire clay flue lining, outside dimensions, $8\frac{1}{2}$ x $3\frac{1}{2}$ ", lin. ft.	.47
Fire clay flue lining, outside dimensions, $8\frac{1}{2}$ x 13", lin. ft.	.70
Fire clay flue lining, outside dimensions, 13 x 13", lin. ft.	.87
Clay drain tile 4", surface clay, per ft.	.07
Clay drain tile 6", surface clay, per ft.	.12
Clay drain tile 8", surface clay, per ft.	.20

APPENDIX A—Continued

MAXIMUM DELIVERED OR F. O. B. YARD PRICES TO CONSUMERS AND CONTRACTORS—Continued

Item and unit	Maximum prices
Fibre insulation standard lath and board— $\frac{1}{2}$ ", 1,000 sq. ft.	\$50.00
Fibre insulation asphalt treated sheathing— $\frac{23}{32}$ ", 1,000 sq. ft.	67.25
Fibre insulation tile board, 12 x 12" and 16 x 16"— $\frac{1}{2}$ ", 1,000 sq. ft.	68.00
Fibre insulation tile board, 16 x 32"— $\frac{1}{2}$ ", 1,000 sq. ft.	64.00
Fibre insulation board—plank $\frac{1}{4}$ ", 1,000 sq. ft.	65.00
Wallboard adhesive, per gallon	1.90
Hardboard—untempered— $\frac{1}{8}$ ", 1,000 sq. ft.	80.00
Hardboard—untempered— $\frac{3}{16}$ ", 1,000 sq. ft.	100.00
Hardboard—tempered— $\frac{1}{8}$ ", 1,000 sq. ft.	100.00
Hardboard—tempered— $\frac{3}{16}$ ", 1,000 sq. ft.	120.00
Asphalt roofing, smooth—35 lb., w/nails, and cement, class C label, per roll	1.41
Asphalt roofing, smooth—45 lb., w/nails, and cement, class C label, per roll	1.77
Asphalt roofing, smooth—55 lb., w/nails, and cement, class C label, per roll	2.18
Asphalt roofing, mineral—75 lb., w/nails, and cement, class C label, per roll	2.72
Asphalt roofing, mineral surface—90 lb., w/nails, and cement, class C label, per roll	3.04
Asphalt mineral surfaced, split roll, diamond point, block edge, shadow or similar roofing (class C label), 105 lb.—110 lb., per roll	3.66
Asphalt or tarred felt—15 lb., per roll	2.93
Asphalt or tarred felt—30 lb., per roll	2.93
Deadening felt—1 lb., per roll	3.40
Deadening felt— $\frac{1}{2}$ lb., per roll	5.20
Asphalt roof coating—5 gal. pail, per gallon	.50
Plastic cement—5 lb. can, per can.	.47
Plastic cement—10 lb. can, per can.	.80
Asphalt shingles, 210 lb., thick butt (3 in 1), standard quality, per sq.	6.82
Asphalt shingles, 165 lb., hexagon, 2 or 3 tab., standard quality, per sq.	5.65
Asbestos cement siding, 12 x 24 or 27, standard colors, per sq.	10.78
Asphalt roll brick siding, per sq.	4.19
Asphalt roll brick soldier course, 10 x 36", per roll	4.00
Medium blanket type insulation 1,000 sq. ft.	50.00
Thick blanket type insulation, 1,000 sq. ft.	74.00
Loose mineral wool, nodulated or granulated, per bag	1.10

OPINION ACCOMPANYING ORDER NO. C-14 UNDER GENERAL ORDER NO. 68

General Order No. 68, issued by the Price Administrator, as amended by Amendment 3 effective January 30, 1946, authorizes each Regional Administrator of the Office of Price Administration and any District Director who may be authorized by the Regional Administrator to issue and put into effect orders establishing maximum prices, applicable to a particular community or defined area for sales by all persons of commodities under the jurisdiction of the Building Materials and Construction Price Branch.

Maximum prices for the commodities in question are, at the manufacturing level, established by specific regulations. Maximum prices for resellers are generally established under the General Max-

imum Price Regulation or on the basis of such prices. The General Maximum Price Regulation freezes the prices charged during March 1942 and provides an alternative formula pricing method for items not sold during March 1942. The techniques of freezing prices or pricing formulae create difficulties with respect to proper compliance and enforcement which can be eliminated through the use of specific dollar-and-cents prices. In view of the lack of uniformity in prices throughout the country for the same kind of building materials, it is not always possible or desirable to spell out uniform prices for the entire country at the distribution levels. Each District Director is best fitted to appraise the needs of the communities in his area and to take appropriate action. For this reason, it has been deemed advisable for the Regional Administrator to delegate to each District Director the authority to issue and put into effect orders establishing maximum prices for areas within the bounds of his district.

This Order No. G-14 under General Order No. 68 establishes dollar-and-cents prices at retail for the commodities specified in Appendix A of the order in the North Central Minnesota Area. Such dollar-and-cents prices will facilitate proper pricing enabling both buyers and sellers to know specific maximum prices for the listed essential building materials. The maximum prices established by the order do not exceed the general level of prices established under the applicable regulations and have been set after full consultation with representative sellers in the area and consideration of their recommendations.

All provisions of this order and their effect upon business practices, cost practices or methods, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17164; Filed, Sept. 24, 1946; 8:58 a. m.]

[Omaha Order G-15 Under Gen. Order 68]
HARD BUILDING MATERIALS IN KEARNEY,
NEBR., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68, it is ordered:

SECTION 1. *What this order covers.* This order covers all retail sales of commodities specified in Appendix A below

made by any seller, except a manufacturer, delivered to the purchaser in the Kearney, Nebraska, Area. The Kearney, Nebraska, Area, for the purposes of this order, consists of the incorporated limits of the City of Kearney, Nebraska.

SEC. 2. *Definitions.*—(a) *Retail sale.* For the purposes of this order, a retail sale means a sale to an ultimate user, or to any contractor; *Provided* That for the purposes of this order, a "retail sale" shall not include any sale to the United States Government or any of its political subdivisions.

(b) *Contractor.* Any person who sells material or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

(c) *Applicators.* Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

SEC. 3. *Relation to other regulations.* The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendix A. Except to the extent they are inconsistent with the provisions of this order, all other provisions of the regulation applicable to the commodities listed in Appendix A prior to the issuance of this order shall continue to apply to sales covered by this order.

SEC. 4. *Discounts, allowances and delivery practices.* The provisions relating to discounts, allowances and delivery practices shall be as set forth in Appendix A (Table of prices).

SEC. 5. *Posting of maximum prices.* Every seller making sales covered by this order shall post a copy of Appendix A to this order (Table of prices) and any amendments thereto, in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. There is attached to this order for your convenience two copies of Appendix A containing the items covered with the respective maximum prices applicable. One such copy of such list may be detached and used as a poster hereinafter required to be posted.

SEC. 6. *Sales slips and records.* Every seller covered by this order shall give to the purchaser a sales slip, receipt, or other evidence of purchase which shall show the date, name and address of the seller, the description, quantity, and the price of each item sold, said description to be in detail sufficient to determine whether the price charged has been properly computed under this order; *Provided*, That for sales of less than a total of \$7.50 only the name and address of the seller and the amount of the sale need be shown. The seller shall prepare

such sales slips, receipts, or other evidence of purchase in duplicate and must keep for at least 6 months after delivery such duplicate copy delivered pursuant to this section. For any sale of \$50.00 or more each seller, regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer.
- (2) Place of delivery.
- (3) Date of transaction.
- (4) Complete description of each item sold and price charged.

SEC. 7. On and after the effective date of this order, any person covered by this order, who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. No persons subject to this order may evade any of the provisions of the order by any stratagem, scheme, or device. No person subject to this order may, as a condition of selling any particular building material item, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

SEC. 8. This order may be modified, amended or revoked at any time. This order shall become effective September 16, 1946.

Issued this 10th day of September 1946.

EDWIN F. MORAN,
District Director.

APPENDIX A

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES

1. The ceiling prices set out below shall apply to sales at retail by all sellers except manufacturers, of the listed building materials, delivered in the area covered by this order, regardless of whether the sale is on an "f. o. b. seller's premises" basis, commonly referred to as a "yard sale" or on a "delivered" basis; *Provided, however*, That any seller who has an established and customary practice of making an additional charge for deliveries where the total amount of the order delivered is less than a certain minimum amount, either monetary or by weight, may add such established delivery charge to the prices otherwise established by this order where the total value or weight delivered is less than such established minimum amount. *And Provided further*, That such seller shall indicate on the price list he is required to post under the provisions of this order, both his "established delivery charge" and also the "minimum amount", either monetary or by weight, to which delivery charges are applicable.

2. Each seller shall maintain his customary discounts and allowances including cash discounts and quantity discounts to such classes of purchasers as were customarily given such discounts by the seller.

3. Any new seller who after the effective date of this order commences to sell commodities covered by the order shall adopt and use the customary discounts, allowances and applicable delivery additions of his "most closely competitive seller of the same class", as that phrase is defined in the GMFR. In such case the new seller shall keep in his place of business records showing the name and address of such competitor and the amount of such competitor's discounts, allowances and applicable delivery

additions, if any, and shall otherwise observe the posting requirements of this order.

MAXIMUM DELIVERED OR F. O. B. YARD PRICES TO CONSUMERS AND CONTRACTORS

Item and unit	Ceiling price
Plaster, hard wall, 100-lb. bag-----	\$1.10
Finishing lime, 50-lb. bag-----	.90
Metal lath:	
3.4 lb. painted diamond mesh, per sq. yd.-----	.41
Corner bead expanded type, 100 lin. ft.-----	4.98
Gypsum lath, $\frac{3}{8}$ ", 1,000 sq. ft.-----	30.00
Gypsum wallboard, $\frac{1}{4}$ ", 1,000 sq. ft.-----	37.50
Gypsum wallboard, $\frac{3}{8}$ ", 1,000 sq. ft.-----	42.00
Gypsum wallboard, $\frac{1}{2}$ ", 1,000 sq. ft.-----	46.25
Portland cement, paper bag, 94-lb. bag-----	.825
Portland cement, cloth bag (bag exclusive), 94-lb. bag-----	1.765
Portland quick dry cement, 94-lb. bag-----	1.015
Masonry cement, 70-lb. bag-----	.795
Mason's hydrated lime, 50-lb. bag-----	.78
Mason's hydrated lime, 10-lb. bag-----	.28
Pulverized quick lime, 190-lb. bbl.-----	4.00
Flue lining, 9 x 9, per lin. ft.-----	.57
Flue lining, 9 x 13, per lin. ft.-----	.85
Flue lining, 13 x 13, per lin. ft.-----	1.11
Asphalt roofing, 90 lb. min. surface, per 100 sq. ft.-----	2.98
Asphalt roofing, 55 lb. first grade, per 100 sq. ft.-----	2.31
Asphalt roofing, 35 lb. third grade, per 100 sq. ft.-----	1.28
Asphalt or tarred felt, 15 lb., roll of 432 sq. ft.-----	2.78
Asphalt or tarred felt, 30 lb., roll of 216 sq. ft.-----	2.78
Asphalt shingles:	
210 lb. (3 in 1), thick butt, per 100 sq. ft.-----	6.88
165 lb. two tab, hexagon, per 100 sq. ft.-----	5.41
105 lb. diamond point, per 100 sq. ft.-----	3.47
Fiber insulation board, $\frac{3}{8}$ ", 1,000 sq. ft.-----	45.15
Fiber insulation board, $\frac{1}{2}$ ", 1,000 sq. ft.-----	59.12
Fiber insulation board, asphalt coated $\frac{3}{8}$ ", 1,000 sq. ft.-----	88.40
Thermal insulation batts:	
Mineral base medium thickness, 2", 1,000 sq. ft.-----	55.00
Mineral base full thickness, 3", 4", 1,000 sq. ft.-----	72.00

¹ In addition to this above price, the reseller may charge a reasonable deposit for cloth bag, subject to refund when the bag is returned.

OPINION ACCOMPANYING ORDER NO. G-15
OPINION ACCOMPANYING ORDER NO. G-16
OPINION ACCOMPANYING ORDER NO. G-17
ALL ISSUED UNDER GENERAL ORDER NO. 68

On June 24, 1946 this office issued Orders 9, 10 and 11, under General Order No. 68 establishing maximum prices for retail sales of hard building materials in the Kearney, Grand Island and Hastings, Nebraska Areas, respectively. These orders were issued for the reasons set forth in an opinion issued simultaneously therewith and filed with the Division of the Federal Register, which opinions are herewith adopted and incorporated herein. Each of the orders referred to were to become effective on July 1, 1946, as was also Amendment No. 1 to each of such orders issued on June 28, 1946. Before the above orders and amendments became effective, the Emergency Price Control Act of 1942, as amended, and all regulations and orders

issued thereunder terminated as of midnight June 30, 1946, as specifically provided in the act itself, by reason of President Truman's veto of the first act to extend OPA which was passed by Congress. The "Price Control Extension Act of 1946" was not finally enacted until July 25, 1946, and therefore during the interim period July 1 to July 25, 1946 there was no authority to control prices. Section 18 of the "Price Control Extension Act of 1946" provides that all regulations, orders, price schedules and requirements under the Emergency Price Control Act of 1942 and Stabilization Act of 1942, as amended which were in effect on June 30, 1946, shall be in effect in the same manner and to the same extent as if the extension act had been enacted on June 30, 1946. This provision had the effect of reviving or revitalizing all OPA regulations, orders, etc. which were "in effect" on June 30, 1946. Since Orders 9, 10 and 11, as previously stated, were not "in effect" on June 30, 1946, they were not affected by the above quoted provision of the new act and hence never became effective.

After due consideration it has been deemed advisable and expedient to issue new pricing orders for the areas covered by Orders 9, 10 and 11 rather than to amend the effective date of those orders and to issue new appendixes (Tables of prices) for them. It was felt that less confusion would result to resellers by issuing new orders.

Today's orders, issued under General Order No. 68, effective September 16, 1946, establish maximum prices for retail sales of hard building materials in the Kearney, Grand Island and Hastings, Nebraska Areas, respectively, and to that extent, supersede and replace Orders 9, 10 and 11, which, though legally issued, were never effective for the reasons stated above.

The maximum prices established by today's orders do not exceed the general level of prices established under applicable regulations. In addition, the prices so established reflect recent increases to manufacturers of certain commodities by amendments 44, 51, 53 and 54 to Order No. 1 under MPR 592, amendment 17 to MPR 224 and amendment 8 to RPS 45.

All provisions of this order and their effect upon business practices, cost practices, or methods, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices, or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17182; Filed, Sept. 24, 1946; 8:56 a. m.]

[Omaha Order G-16 Under Gen. Order 68]

HARD BUILDING MATERIALS IN GRAND ISLAND, NEBR., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68, it is ordered:

SECTION 1. What this order covers. This order covers all retail sales of commodities specified in Appendix A below made by any seller, except a manufacturer, delivered to the purchaser in the Grand Island, Nebraska Area. The Grand Island, Nebraska Area, for the purposes of this order, consists of the incorporated limits of the City of Grand Island, Nebraska.

SEC. 2. Definitions.—(a) *Retail sale.* For the purposes of this order a retail sale means a sale to an ultimate user, or to any contractor; *Provided*, That for the purposes of this order, a "retail sale" shall not include any sale to the United States Government or any of its political subdivisions.

(b) *Contractor.* Any person who sells material or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

(c) *Applicator.* Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

SEC. 3. Relation to other regulations. The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendix A. Except to the extent they are inconsistent with the provisions of this order, all other provisions of the regulation applicable to the commodities listed in Appendix A prior to the issuance of this order shall continue to apply to sales covered by this order.

SEC. 4. Discounts, allowances and delivery practices. The provisions relating to discounts, allowances and delivery practices shall be as set forth in Appendix A (Table of prices).

SEC. 5. Posting of maximum prices. Every seller making sales covered by this order shall post a copy of Appendix A to this order (Table of prices) and any amendments thereto, in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. There is attached to this order for your convenience two copies of Appendix A containing the items covered with the respective maximum prices applicable. One such copy of such list may be detached and used as a poster hereinbefore required to be posted.

SEC. 6. Sales slips and records. Every seller covered by this order shall give to

the purchaser a sales slip, receipt, or other evidence of purchase which shall show the date, name and address of the seller, the description, quantity, and the price of each item sold, said description to be in detail sufficient to determine whether the price charged has been properly computed under this order: *Provided*, That for sales of less than a total of \$7.50 only the name and address of the seller and the amount of the sale need be shown. The seller shall prepare such sales slips, receipts, or other evidence of purchase in duplicate and must keep for at least 6 months after delivery such duplicate copy delivered pursuant to this section. For any sale of \$50.00 or more each seller, regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer.
- (2) Date of transaction.
- (3) Place of delivery.
- (4) Complete description of each item sold and price charged.

SEC. 7. On and after the effective date of this order, any person covered by this order, who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. No persons subject to this order may evade any of the provisions of the order by any stratagem, scheme or device. No person subject to this order may, as a condition of selling any particular building material item, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

SEC. 8. This order may be modified, amended or revoked at any time. This order shall become effective September 16, 1946.

Issued this 10th day of September 1946.

EDWIN F. MORAN,
District Director.

APPENDIX A

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRICES

1. The ceiling prices set out below shall apply to sales at retail by all sellers except manufacturers, of the listed building materials, delivered in the area covered by this order, regardless of whether the sale is on an "f. o. b. seller's premises" basis, commonly referred to as a "yard sale" or on a "delivered" basis. *Provided, however*, That any seller who has an established and customary practice of making an additional charge for deliveries where the total amount of the order delivered is less than a certain minimum amount, either monetary or by weight, may add such established delivery charge to the prices otherwise established by this order where the total value or weight delivered is less than such established minimum amount: *And provided further* That such seller shall indicate on the price list he is required to post under the provisions of this order, both his "established delivery charge" and also the "minimum amount", either monetary or by weight, to which delivery charges are applicable.

2. Each seller shall maintain his customary discounts and allowances, including cash discounts and quantity discounts to such

classes of purchasers as were customarily given such discounts by the seller.

3. Any new seller who after the effective date of this order commences to sell commodities covered by the order shall adopt and use the customary discounts, allowances and applicable delivery additions of his "most closely competitive seller of the same class", as that phrase is defined in the GMPR. In such case the new seller shall keep in his place of business records showing the name and address of such competitor and the amount of such competitor's discounts, allowances and applicable delivery additions, if any, and shall otherwise observe the posting requirements of this order.

MAXIMUM DELIVERED OR F. O. B. YARD PRICES TO CONSUMERS AND CONTRACTORS

Item and unit	Ceiling price
Plaster, hard wall, 100-lb. bag	\$1.08
Plaster, gauging, 100-lb. bag	1.30
Keene cement, 100-lb. bag	2.00
Finishing lime, 50-lb. bag	.78
Metal lath:	
2.5-lb. copper bearing, per sq. yd.	.33
2.5-lb. painted diamond mesh, per sq. yd.	.31
Corner bead expanded type, 100 lin. ft.	5.54
Corner bead scalloped, 100 lin. ft.	4.58
Corner right 3 x 3, 100 lin. ft.	3.18
Gypsum lath 3/8", 1,000 sq. ft.	30.00
Gypsum wallboard, 1/2", 1,000 sq. ft.	36.00
Gypsum wallboard, 3/8", 1,000 sq. ft.	40.00
Gypsum wallboard, 1/2", 1,000 sq. ft.	45.00
Portland cement, paper bag, 94-lb. bag	.815
Portland cement, cloth bag (bag exclusive), 94-lb. bag	1.765
Portland quick dry cement, 94-lb. bag	1.065
Masonry cement, 70-lb. bag	.765
Masons hydrated lime, 50-lb. bag	.73
Masons hydrated lime, 10-lb. bag	.28
Lump quick lime, 190-lb. bbl.	3.08
Pulverized quick lime, 190-lb. bbl.	3.70
Fire clay, 100-lb. bag	1.25
Flue lining, 9 x 9, per lin. ft.	.45
Flue lining, 9 x 13, per lin. ft.	.62
Flue lining, 13 x 13, per lin. ft.	.81
Asphalt roofing:	
90 lb. mineral surface, 100 sq. ft.	3.06
(Smooth) 45 lb., first grade, 100 sq. ft.	2.03
(Smooth) 55 lb., first grade, 100 sq. ft.	2.38
(Smooth) 65 lb., first grade, 100 sq. ft.	2.76
(Smooth) 35 lb., third grade, 100 sq. ft.	1.31
Asphalt or tarred felt, 15 lb., roll 432 sq. ft.	2.95
Asphalt or tarred felt, 30 lb., roll 216 sq. ft.	2.95
Asphalt shingles:	
(3 in 1) thick butt, 210 lb., 100 sq. ft.	6.95
165 lb. two tab, hexagon, 100 sq. ft.	5.31
105 lb. diamond point, 100 sq. ft.	3.64
Asphalt roll roofing diamond point, 100 sq. ft.	3.58
Fiber insulation board, 1/2", 1,000 sq. ft.	53.75
Std lath and board, 1,000 sq. ft.	53.75
Fiber insulation board, asphalt coated 2 3/4", 1,000 sq. ft.	84.50
Synthetic fiber board 1/2" standard density, 1,000 sq. ft.	70.00
Synthetic fiber board, hard density, tempered standard size, 1,000 sq. ft.	87.00
Thermal insulation blankets:	
Wood base single thickness, 1,000 sq. ft.	47.00
Wood base medium thickness, 1,000 sq. ft.	64.00
Thermal insulation loose in bags (granulated), bag, 4 cu. ft.	1.20

¹ In addition to the above price, the reseller may charge a reasonable deposit for cloth bag, subject to refund when the bag is returned.

OPINIONS ACCOMPANYING ORDERS NOS. G-15, G-16, G-17, ALL ISSUED UNDER GENERAL ORDER NO. 68

On June 24, 1946 this office issued Orders 9, 10, 11, under General Order No. 68 establishing maximum prices for retail sales of hard building materials in the Kearney, Grand Island and Hastings, Nebraska Areas, respectively. These orders were issued for the reasons set forth in an opinion issued simultaneously therewith and filed with the Division of the Federal Register, which opinions are herewith adopted and incorporated herein. Each of the orders referred to were to become effective on July 1, 1946, as was also Amendment No. 1 to each of such orders issued on June 28, 1946. Before the above orders and amendments became effective, the Emergency Price Control Act of 1942, as amended, and all regulations and orders issued thereunder terminated as of midnight June 30, 1946, as specifically provided in the act itself, by reason of President Truman's vote of the first act to extend OPA which was passed by Congress. The "Price Control Extension Act of 1946" was not finally enacted until July 25, 1946, and therefore during the interim period July 1 to July 25, 1946 there was no authority to control prices. Section 18 of the "Price Control Extension Act of 1946" provides that all regulations, orders, price schedules and requirements under the Emergency Price Control Act of 1942 and Stabilization Act of 1942, as amended, which were in effect on June 30, 1946, shall be in effect in the same manner and to the same extent as if the extension act had been enacted on June 30, 1946. This provision had the effect of reviving or revitalizing all OPA regulations, orders, etc., which were "in effect" on June 30, 1946. Since Orders 9, 10 and 11, as previously stated, were not "in effect" on June 30, 1946, they were not affected by the above quoted provision of the new act and hence never became effective.

After due consideration it has been deemed advisable and expedient to issue new pricing orders for the areas covered by Orders 9, 10 and 11 rather than to amend the effective date of those orders and to issue new appendices (Tables of prices) for them. It was felt that less confusion would result to resellers by issuing new orders.

Today's orders, issued under General Order No. 68, effective September 16, 1946, establish maximum prices for retail sales of hard building materials in the Kearney, Grand Island and Hastings, Nebraska Areas, respectively, and to that extent, supersede and replace Orders 9, 10 and 11, which, though legally issued, were never effective for the reasons stated above.

The maximum prices established by today's orders do not exceed the general level of prices established under applicable regulations. In addition, the prices so established reflect recent increases to manufacturers of certain commodities by Amendments 44, 51, 53 and 54 to Order No. 1 under MPR 592, Amendment 17 to MPR 224 and Amendment 8 to RPS 45.

All provisions of this order and their effect upon business practices, cost practices, or methods, or means or aids to distribution in the industry or industries

affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices, or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17161; Filed, Sept. 24, 1946; 8:55 a. m.]

[Omaha Order G-17 Under Gen. Order 68]

HARD BUILDING MATERIALS IN HASTINGS, NEBR., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 69, it is ordered:

SECTION 1. What this order covers. This order covers all retail sales of commodities specified in Appendix A below made by any seller, except a manufacturer delivered to the purchaser in the Hastings, Nebraska Area. The Hastings, Nebraska Area, for the purposes of this order, consists of the incorporated limits of the City of Hastings, Nebraska.

SEC. 2. Definitions—(a) Retail sale. For the purpose of this order, a retail sale means a sale to an ultimate user, or to any contractor: *Provided*, That for the purposes of this order, a "retail sale" shall not include any sale to the United States Government or any of its political subdivisions.

(b) Contractor. Any person who sells material or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

(c) Applicators. Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

SEC. 3. Relation to other regulations. The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendix A. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the regulation applicable to the commodities listed in Appendix A prior to the issuance of this order shall continue to apply to sales covered by this order.

SEC. 4. Discounts, allowances and delivery practices. The provisions relating to discounts, allowances and delivery practices shall be as set forth in Appendix A (Table of prices).

SEC. 5. Posting of maximum prices. Every seller making sales covered by this order shall post a copy of Appendix A to this order (Table of prices) and any amendments thereto, in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. There is attached to this order for your convenience two copies of Appendix A containing the items covered with the respective maximum prices applicable. One such copy of such list may be detached and used as a poster hereinbefore required to be posted.

SEC. 6. Sales slips and records. Every seller covered by this order shall give to the purchaser a sales slip, receipt or other evidence of purchase which shall show the date, name and address of the seller, the description, quantity, and the price of each item sold, said description to be in detail sufficient to determine whether the price charged has been properly computed under this order; *Provided*, That for sales of less than a total of \$7.50 only the name and address of the seller and the amount of the sale need be shown. The seller shall prepare such sales slips, receipts, or other evidence of purchase in duplicate and must keep for at least 6 months after delivery such duplicate copy delivered pursuant to this section. For any sale of \$50.00 or more each seller, regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer.
- (2) Date of transaction.
- (3) Place of delivery.
- (4) Complete description of each item sold and price charged.

SEC. 7. On and after the effective date of this order, any person covered by this order, who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. No persons subject to this order may evade any of the provisions of the order by any stratagem, scheme or device. No person subject to this order may, as a condition of selling any particular building material item, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

SEC. 8. This order may be modified, amended or revoked at any time.

This order shall become effective September 16, 1946.

Issued this 10th day of September 1946.

EDWIN F. MORAN,
District Director.

APPENDIX A

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES

1. The ceiling prices set out below shall apply to sales at retail by all sellers except

manufacturers, of the listed building materials, delivered in the area covered by this order, regardless of whether the sale is on an "f. o. b. seller's premises" basis, commonly referred to as a "yard sale" or on a "delivered" basis; *Provided, however*, That any seller who has an established and customary practice of making an additional charge for deliveries where the total amount of the order delivered is less than a certain minimum amount, either monetary or by weight, may add such established delivery charge to the prices otherwise established by this order where the total value or weight delivered is less than such established minimum amount, and; *Provided further*, That such seller shall indicate on the price list he is required to post under the provisions of this order, both his "established delivery charge" and also the "minimum amount", either monetary or by weight to which delivery charges are applicable.

2. Each seller shall maintain his customary discounts and allowances, including cash discounts and quantity discounts to such classes of purchasers as were customarily given such discounts by the seller.

3. Any new seller who after the effective date of this order commences to sell commodities covered by the order shall adopt and use the customary discounts, allowances and applicable delivery additions of his "most closely competitive seller of the same class", as that phrase is defined in the GMPR. In such case the new seller shall keep in his place of business records showing the name and address of such competitor and the amount of such competitor's discounts, allowances and applicable delivery additions, if any, and shall otherwise observe the posting requirements of this order.

MAXIMUM DELIVERED OR F. O. B. YARD PRICES TO CONSUMERS AND CONTRACTORS

Item and unit	Ceiling price
Plaster, hard wall, 100-lb. bag-----	\$1.00
Plaster, gauging, 100-lb. bag-----	1.25
Plaster, moulding, 100-lb. bag-----	1.75
Keene's cement, 100-lb. bag-----	1.79
Finishing lime, 50-lb. bag-----	1.12
Metal lath:	
2.5 lb. painted diamond mesh, per sq. yd-----	.28
2.4 lb. painted diamond mesh, per sq. yd-----	.33
Corner bead expanded type, 100 lin. ft-----	5.54
Corner bead scalloped, 100 lin. ft-----	4.47
Gypsum lath, 3/8", 1,000 sq. ft-----	28.30
Gypsum wall board, 3/8", 1,000 sq. ft-----	45.00
Gypsum wall board, 1/2", 1,000 sq. ft-----	50.00
Portland cement, paper bag, 94-lb. bag-----	.815
Portland cement, cloth bag (bag exclusive), 94-lb. bag-----	1.765
Portland quick dry cement, 94-lb. bag-----	1.065
Masonry cement, 70-lb. bag-----	.765
Mortar mix, 50-lb. bag-----	.50
Masons hydrated lime, 50-lb. bag-----	.78
Masons hydrated lime, 10-lb. bag-----	.28
Lump quick lime, 190-lb. bbl-----	3.58
Fire clay, 100-lb. bag-----	1.70
Clay drain tile, 4", per lin. ft-----	.083
Clay drain tile, 6", per lin. ft-----	1.06
Vitrified clay sewer pipe:	
No. 1SS, 4", per lin. ft-----	.26
No. 1SS, 6", per lin. ft-----	.32
No. 1SS, 8", per lin. ft-----	.57
Flue lining, 9 x 9, per lin. ft-----	.53
Flue lining, 9 x 13, per lin. ft-----	.71
Flue lining, 13 x 13, per lin. ft-----	1.01
Flue lining, 13 x 17, per lin. ft-----	1.21
Flue lining, 17 x 17, per lin. ft-----	1.44

¹ In addition to the above price, the reseller may charge a reasonable deposit for cloth bag, subject to refund when the bag is returned.

MAXIMUM DELIVERED OR F. O. B. YARD PRICES TO CONSUMERS AND CONTRACTORS—continued

Item and unit	Celling price
Asphalt roofing:	
90-lb. mineral surface, 100 sq. ft.	\$2.65
(Smooth) 45-lb., 1st grade, 100 sq. ft.	2.35
(Smooth) 55-lb., 1st grade, 100 sq. ft.	2.84
Asphalt or tarred felt, 15-lb., roll 432 sq. ft.	2.89
Asphalt or tarred felt, 30-lb., roll 216 sq. ft.	2.89
Asphalt shingles:	
210-lb. (3 in 1) thick butt, 100 sq. ft.	6.67
165-lb. two tab, hexagon, 100 sq. ft.	5.20
105-lb. diamond point, 100 sq. ft.	3.62
Fiber insulation board $\frac{1}{2}$ ", 1,000 sq. ft.	53.75
Standard lath and board, 1,000 sq. ft.	54.40
Fiber insulation board, asphalt coated, $\frac{3}{8}$ ", 1,000 sq. ft.	81.90
Hard density synthetic fiber board, $\frac{1}{2}$ ", tempered st'd size, 1,000 sq. ft.	91.65
Thermal insulation batts, mineral base, medium thickness, 1,000 sq. ft.	49.65
Thermal insulation, loose in bags (granulated), bag 4 cu. ft.	1.13
Mica base insulation, loose in bags, bag 4 cu. ft.	1.20

OPINION ACCOMPANYING ORDER NO. G-15
 OPINION ACCOMPANYING ORDER NO. G-16
 OPINION ACCOMPANYING ORDER NO. G-17
 ALL ISSUED UNDER GENERAL ORDER NO. 68

On June 24, 1946 this office issued Orders 9, 10 and 11, under General Order No. 68 establishing maximum prices for retail sales of hard building materials in the Kearney, Grand Island and Hastings, Nebraska Areas, respectively. These orders were issued for the reasons set forth in an opinion issued simultaneously therewith and filed with the Division of the Federal Register, which opinions are herewith adopted and incorporated herein. Each of the orders referred to were to become effective on July 1, 1946, as was also Amendment No. 1 to each of such orders issued on June 28, 1946. Before the above orders and amendments became effective, the Emergency Price Control Act of 1942, as amended, and all regulations and orders issued thereunder terminated as of midnight June 30, 1946, as specifically provided in the act itself, by reason of President Truman's veto of the first act to extend OPA which was passed by Congress. The "Price Control Extension Act of 1946" was not finally enacted until July 25, 1946, and therefore during the interim period July 1 to July 25, 1946 there was no authority to control prices. Section 18 of the "Price Control Extension Act of 1946" provides that all regulations, orders, price schedules and requirements under the Emergency Price Control Act of 1942 and Stabilization Act of 1942, as amended, which were in effect on June 30, 1946, shall be in effect in the same manner and to the same extent as if the extension act had been enacted on June 30, 1946. This provision had the effect of reviving or revitalizing all OPA regulations, orders, etc. which were "in effect" on June 30, 1946. Since Orders 9, 10 and 11, as previously stated, were not "in effect" on June 30, 1946, they were not

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affected by the above quoted provision of the new Act and hence never became effective.

After due consideration it has been deemed advisable and expedient to issue new pricing orders for the areas covered by Orders 9, 10 and 11 rather than to amend the effective date of those orders and to issue new appendices (Tables of prices) for them. It was felt that less confusion would result to resellers by issuing new orders.

Today's orders, issued under General Order No. 68, effective September 16, 1946, establish maximum prices for retail sales of hard building materials in the Kearney, Grand Island and Hastings, Nebraska, areas, respectively, and to that extent, supersede and replace Orders 9, 10 and 11, which, though legally issued, were never effective for the reasons stated above.

The maximum prices established by today's orders do not exceed the general level of prices established under applicable regulations. In addition, the prices so established reflect recent increases to manufacturers of certain commodities by Amendments 44, 51, 53 and 54 to Order No. 1 under MPR 592, Amendment 17 to MPA 224 and Amendment 8 to RPS 45.

All provisions of this order and their effect upon business practices, cost practices, or methods, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices, or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17178; Filed, Sept. 24, 1946; 9:08 a. m.]

[Region VI Order G-1 Under Gen. Order 68, Amdt. 2]

SPECIFIED STOCK MILLWORK IN CHICAGO REGION

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register. It is ordered:

This amendment specifically revokes in their entirety Regional Order G-1, including appendices attached thereto, and Amendment 1 to Regional Order G-1 issued under the authority of General Order 68 on March 5, 1946, and May 9, 1946, respectively.

This amendment shall become effective immediately.

Issued this 24th day of August 1946.

EARL W. CLARK,
Regional Administrator.

OPINION ACCOMPANYING AMENDMENT 2 TO REGIONAL ORDER G-1 UNDER GENERAL ORDER 68

In view of the tremendous number of stock millwork items covered by the standard lists and the variance in stock millwork items, it was not possible for this office to calculate the percentage increases for individual millwork items required under section 2 (t) of the Emergency Price Control Act of 1942, as amended, within the time limit required under this section. This amendment, accordingly, revokes in their entirety Regional Order G-1, including appendices attached thereto, and Amendment 1 to Regional Order G-1 issued under the authority of General Order 68 on March 1, 1946, and May 9, 1946, respectively, until such time as the percentage increases required by section 2 (t) of the Emergency Price Control Act of 1942, as amended, can be calculated and converted into dollars-and-cents prices.

[F. R. Doc. 46-17159; Filed, Sept. 24, 1946; 8:55 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 120]

SOLID FUELS IN MACOMB, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 37 to Order No. G-16, paragraph (b), Price schedule, subparagraphs I to IV are amended to read as follows:

PRICE SCHEDULE

Domestic delivered

- I. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):
 1. Lump, size group Nos. 1 and 2, all single screened lump coal, bottom size larger than 3", price classification E through J inclusive. \$11.87
- II. High volatile bituminous coal from district No. 9 (western Kentucky):
 1. Lump and egg size group Nos. 1-6 inclusive, all single screened lump coals and all double screened raw, washed or air cleaned egg coals, top size larger than 2":
 - (a) No. 14 and stray seams. 7.56
 - (b) Nos. 9 and 11 seams. 7.31
 2. Washed or air-cleaned screenings, size group Nos. 23 and 24, all washed or air-cleaned screenings larger than $\frac{3}{8}$ " x 0 but not exceeding 2" x 0, (a) Nos. 9 and 11 seams. 7.41
- III. High volatile bituminous coal from district No. 10 (Illinois):
 - A. Southern subdistrict, deep machine mines, price group Nos. 1, 2 and 8.
 1. Lump, egg and stove, size group Nos. 1, 2, 3, 4, 5, 6, and 8, all lump and egg coals bottom size larger than 2" washed or raw, all lump, egg and stove coals bottom size 2" and smaller, washed or raw, including 6" lump 6" x 3" egg, 3" x 2" nut and 2" x 1 $\frac{1}{4}$ " stove. 8.16

PRICE SCHEDULE—Continued

	Domestic delivered
III. High volatile bituminous coal from district No. 10—Continued.	
A. Southern subdistrict, etc.—Con.	
2. Special stoker size group Nos. 21, 22, and 28, all washed or air-cleaned nut and pea coal bottom size larger than 1 millimeter and top size not exceeding 2"; and all dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding 3/4", including G-14, air flow, par fuel, super V, supertherm, deluxe, S. P. stoker.	\$7.96
3. Washed and dedusted screening size group Nos. 23, 24, 26, and 27, all washed, air-cleaned and dry dedusted screenings top size not exceeding 2", including universal, commercial and S. P. stoker.	7.31
B. Southern subdistrict, strip mines. Price Group No. 7:	
1. Lump and egg, size group Nos. 1, 2 and 3, all lump and egg coal bottom size larger than 2" washed or raw.	7.26
C. Belleville subdistrict price group Nos. 16-22, inclusive:	
1. Lump and egg, size group Nos. 1, 2 and 3, all lump and egg coals bottom size larger than 2" washed or raw.	
(a) Deep machine mines.	7.41
(b) Strip mines.	7.21
2. Washed nut and pea, size group Nos. 17 to 20, inclusive, all washed or air cleaned nut and pea coal bottom size larger than 10 mesh or 3/32" and top size not exceeding 2"; (a) strip mines.	7.16
D. Fulton Peoria subdistrict strip mines:	
1. Lump and egg, size group Nos. 1, 2, and 3, all lump and egg coals bottom size larger than 2" washed or raw:	
(a) Price group Nos. 27 and 28.	6.04
(b) Price group Nos. 24, 25 and 26.	5.99
2. Egg and stove, size group Nos. 4, 5, 6, and 8, all egg and stove coals bottom size 2" and smaller washed or raw: (a) Price group Nos. 24, 25, and 26.	5.99
3. Washed screenings, size group Nos. 23 and 24, all washed or air cleaned screenings top size not exceeding 2"; (a) Price group Nos. 27 and 28.	6.04
IV. Pennsylvania anthracite:	
1. Egg, stove, and nut; ash content not in excess of OPA quality standards	20.43

This Amendment No. 120 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective September 16, 1946.

Issued this 5th day of September 1946.

EARL W. CLARK,
Regional Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 120 TO ORDER G-16 UNDER REVISED MAXIMUM PRICE REGULATION NO. 122

Section 1340.260 of Revised Maximum Regulation No. 122 authorizes the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in

connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment superseded and reflect price increases granted by the following documents or actions:

1. Regional Order G-35 under Revised Maximum Price Regulation No. 122, reflecting increases to producers of certain solid fuels, granted by Amendment No. 158 to Maximum Price Regulation No. 120.

2. Regional Order G-37 under Revised Maximum Price Regulation No. 122, reflecting increases to producers of Anthracite, granted by Amendment No. 23 to Maximum Price Regulation No. 112.

3. Amendments Nos. 46, 47 and 48 to Revised Maximum Price Regulation No. 122.

[F. R. Doc. 46-17173; Filed, Sept. 24, 1946; 9:05 a. m.]

[Region III, Order G-26 Under MPR 592, Amtd. 1]

SAND AND GRAVEL IN LOUISVILLE, KY., AREA

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 17 of Maximum Price Regulation No. 592 and the Emergency Price Control Act of 1942, as amended; It is ordered, That Order No. G-26 under section 17 of Maximum Price Regulation No. 592 be and hereby is amended in the following respects:

Paragraph (b) is amended to read as follows:

(b) *Area covered.* The Louisville, Kentucky Area as used herein contains all that territory located within Jefferson County, Kentucky, and Floyd and Clark Counties, Indiana.

This Amendment No. 1 to Order No. G-26 shall become effective September 11, 1946.

Issued September 11, 1946.

JOHN F. KESSEL,
Regional Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 1 TO ORDER NO. G-26 UNDER SECTION 17 OF MAXIMUM PRICE REGULATION NO. 592

The accompanying amendment to Order No. G-26 under section 17 of Maximum Price Regulation No. 592 provides for an extension of the area covered by Order No. G-26.

It has been determined that Clark County, Indiana is a part of the Louisville, Kentucky trading area and the order has, therefore, been amended to include Clark County.

The change established in the accompanying amendment is considered generally fair and equitable in accordance with the provisions of Maximum Price

Regulation No. 592 and consistent with the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17255; Filed, Sept. 24, 1946; 8:59 a. m.]

[Region VI Order G-40 Under RMPR 122]

SOLID FUELS IN CHICAGO REGION.

Pursuant to the authority vested in the Regional Administrator of Region VI of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, as amended, and for reasons stated in an opinion issued herewith, it is ordered:

(a) *Effect of this order.* This order adjusts the maximum prices for the sale of certain solid fuels by all dealers whose solid fuels covered by this order are obtained or distributed at or from docks on the west bank of Lake Michigan at Waukegan, Illinois or north thereof of the United States side of Lake Superior and whose maximum prices for the sale of such solid fuels are now established under area pricing orders of Region VI of the Office of Price Administration.

(b) *Geographical applicability.* This order applies to all sales subject to this order where the buyer receives physical delivery within the areas covered by each area pricing order in Region VI, which includes the States of Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, and Lake County, Indiana.

(c) *Price adjustments.* On sales of solid fuels from docks, as provided in paragraph (a) above and governed by maximum prices established by Region VI Orders G-1 to G-16 under Revised Maximum Price Regulation No. 122 inclusive, and appendices thereto, and any other Region VI area pricing orders issued under that regulation, dealers are hereby permitted to increase their maximum prices as follows:

	Per ton
(1) Bituminous coal	\$0.15
(2) Pennsylvania anthracite	.16
(3) Coke	.10

(d) *Effective period of this order.* This Order No. G-40 shall remain in effect in each area covered by a Region VI area pricing order until such area order is amended to reflect the price increase permitted herein and to supersede this Order No. G-40.

(e) *Effect of order on Revised Maximum Price Regulation No. 122.* Insofar as any provision of this order may be inconsistent with any provision of Revised Maximum Price Regulation No. 122, as amended, the provisions contained in this order shall be controlling. Except as herein otherwise provided, the provisions of Revised Maximum Price Regulation No. 122, as amended, shall remain in full force and effect.

This order may be amended, revised or revoked at any time.

This Order No. G-40 shall be effective as of August 22, 1946.

Issued this 27th day of August 1946.

EARL W. CLARK,
Regional Administrator.

OPINION ACCOMPANYING ORDER NO. G-40
UNDER REVISED MAXIMUM PRICE REGULA-
TION NO. 122, AS AMENDED

Section 1340.260 of Revised Maximum Price Regulation No. 122 authorizes the Regional Administrator of the Office of Price Administration to establish by order maximum prices in line with those established by that regulation for deliveries of solid fuels made by a dealer or a group of dealers in an area or locality. In accordance with this authorization, the Regional Administrator issued area pricing orders covering specific areas within Region VI.

Amendment No. 47 to Maximum Price Regulation No. 122, issued and effective August 19, 1946 authorizes an increase of 6 cents per ton for bituminous coal and Pennsylvania Anthracite to compensate for increased water freight rates. Amendment No. 48 to Revised Maximum Price Regulation No. 122, issued and effective August 22, 1946, authorizes an increase of 9 cents per ton for sales of bituminous coal, and 10 cents per ton for Pennsylvania Anthracite and coke, by dealers subject to that regulation. However, dealers operating under area pricing orders covering specific areas within Region VI may not avail themselves automatically of these increases. It is necessary therefore that a supplementary area order be issued permitting dealers operating under area pricing orders to increase their retail sales prices by the above amounts. This order does not apply to dealers who are not covered by area pricing orders because they continue to price under Maximum Price Regulation No. 122, under which they are able to obtain adequate relief.

This Order No. G-40 is a blanket order designed to permit dealers covered by the various area pricing orders to increase their prices immediately so as not to be subjected to a squeeze pending the issuance of amendments to the respective area pricing orders. Amendments to the specific area pricing orders establishing adjusted prices to reflect the increases are now being prepared. As amendments take effect to the respective area pricing orders, this order will no longer be applicable to them.

[F. R. Doc. 46-17174; Filed, Sept. 24, 1946;
9:05 a. m.]

[Region VI Order G-16 Under RMPR 122,
Amdt. 121]

SOLID FUELS IN URBANA, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 34 to Order No. G-16, paragraph (b), subparagraphs I to V and paragraph (d) are amended to read as follows:

PRICE SCHEDULE

	Domestic delivered per ton
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Stove size group No. 3, all stove coal, top size larger than 1 1/4" but not exceeding 3", bottom size smaller than 3", in price classification A, except mine index No. 728	\$11.74
2. Nut size group No. 4, all nut coal top size larger than 3/4" but not exceeding 1 1/4", bottom size smaller than 1 1/4", in price classification A, except mine index No. 728	11.04
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):	
1. Lump, size group Nos. 1 and 2, all single screened lump coal bottom size larger than 3":	
(a) In price classification C through H inclusive	11.12
(b) In price classification J through N inclusive	10.82
2. Egg, size group No. 6, all double screened egg coals, top size larger than 5" but not exceeding 6" and bottom size 2" and smaller; also top size 3" and larger but not exceeding 5" and bottom size larger than 2" but not exceeding 3":	
(a) In price classification B through K inclusive	10.72
(b) In price classification L through O inclusive	10.27
3. Stoker, size group No. 10, all double screened stoker coals, top size not exceeding 1 1/4" and bottom size less than 1 1/4":	
(a) Price classification A, mine index Nos. 49 and 50 only	11.26
(b) Price classification B through E inclusive	10.42
III. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern subdistrict, deep machine mines price group Nos. 1, 2 and 8:	
1. Lump and egg, size group Nos. 1, 2, and 3, all lump and egg coals bottom size larger than 2" washed or raw	8.71
2. Egg, nut and stove, size group Nos. 4, 5, 6 and 8, all egg and stove coals bottom size 2" and smaller, washed or raw	8.36
3. Special stoker, size group Nos. 21, 22 and 28, all washed or air-cleaned nut and pea coal bottom size larger than 1 millimeter and top size not exceeding 2"; all dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding 3/8" (including such trade names as G 14, par fuel, super V, airflow, supertherm and de luxe S. P. stoker)	8.21
4. Raw nut and pea coal size group Nos. 9-12 inclusive, all raw nut and pea coal bottom size larger than 10 mesh or 3/32" and top size not exceeding 2"	7.91
5. Washed or dedusted screenings, size group Nos. 23, 24, 26 and 27, all washed, air cleaned or dry dedusted screenings top size not exceeding 2", including such trade names as universal stoker, commercial stoker and S. P. stoker	7.76

PRICE SCHEDULE—Continued

	Domestic delivered per ton
III. High volatile bituminous coal from district No. 10—Continued.	
B. Central subdistrict, deep machine mines:	
1. Lump and egg size group Nos. 1, 2 and 3, all lump and egg coals bottom size larger than 2" washed or raw, price group Nos. 12 and 13	\$7.31
2. Washed screenings, size group Nos. 23 and 24, all lump washed or air cleaned screenings top size not exceeding 2", mine index No. 186 only	6.54
3. Stoker size group Nos. 21, 22 and 28, all washed or air cleaned nut and pea coal bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding 3/8", price group Nos. 12 and 13	6.81
4. Lump and egg size group Nos. 1, 2 and 3, all lump and egg coals bottom size larger than 2" washed or raw, mine index No. 21 only	7.24
IV. High volatile bituminous coal from district No. 11 (Indiana):	
1. Lump and egg size group Nos. 1, 2 and 3, all lump and egg coals bottom size larger than 2" washed or raw:	
(a) Price group No. 14	9.09
(b) Price group No. 6, mine index No. 40 only	8.99
(c) Price group No. 6, mine index No. 107 only	9.56
(d) Price group No. 7 and 18 only	7.79
(e) Price group No. 10, mine index No. 115 only	8.04
(f) Price group No. 5	8.19
(g) Price group No. 15 and 16	8.41
2. Nut size group No. 5, all nut coals bottom size larger than 1 1/2" but not exceeding 2" and top size larger than 2" but not exceeding 4" washed or raw:	
(a) Price group No. 14	8.39
(b) Price group No. 5	7.79
3. Stoker size group Nos. 9-12 inclusive, all raw nut and pea coal bottom size larger than 10 mesh or 3/32" and top size not exceeding 2":	
(a) Price group No. 6, mine index No. 40 only	8.19
(b) Price group No. 10, mine index No. 115 only	7.62
(c) Price group No. 5	7.44
(d) Price group No. 15	7.39
4. Washed screenings size group Nos. 23 and 24, all washed or air-cleaned screenings top size not exceeding 2" (a) Price group No. 9 only	6.95
V. Pennsylvania anthracite: 1. Egg, stove and nut	18.83
(d) Discounts. The maximum price set forth in section (b) above shall be subject to the following discount:	
Per ton	
(i) If payment is made by a purchaser on or before 10 days from delivery of the solid fuel	\$0.25
(ii) On "domestic sales" of coal picked up at the dealer's yard by consumers	.50
(iii) On sales to other dealers of coal picked up at the seller's yard	1.89
(iv) On "domestic sales" to users of 50 tons or more annually	.25

This Amendment No. 121 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective September 16, 1946.

Issued this 5th day of September 1946.

EARL W. CLARK,
Regional Administrator.

OPINION ACCOMPANYING AMENDMENT NO.
121 TO ORDER G-16 UNDER REVISED MAXI-
MUM PRICE REGULATION NO. 122

Section 1340.260 of Revised Maximum Price Regulation No. 122 authorizes the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-32 under Revised Maximum Price Regulation No. 122, reflecting an increase granted by Amendment 40, and provisions of Amendment 42 to that regulation.

2. Regional Order No. G-35, under Revised Maximum Price Regulation No. 122, reflecting increases to producers of certain solid fuels, granted by Amendment No. 158 to Maximum Price Regulation No. 120.

3. Regional Order G-37 under Revised Maximum Price Regulation No. 122, reflecting increases to producers of Anthracite, granted by Amendment No. 23 to Maximum Price Regulation No. 122.

4. Amendments Nos. 46, 47 and 48 to Revised Maximum Price Regulation No. 122.

[F. R. Doc. 46-17172; Filed, Sept. 24, 1946; 9:05 a. m.]

[Region I SO 25 Under RMPR 122]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered*, That:

(a) The specific maximum per-net-ton prices for bituminous coals which are established by the Region I Area Price Orders under Revised Maximum Price Regulation No. 122 listed in paragraph (d) of this order shall be reduced as follows; unless the condition set forth in paragraph (b) hereof has been met:

(1) *Direct mine receivers*. On all sales of bituminous coal which the seller has

received directly from the mines, or of which he is the producer: Deduct 8¢ per net ton.

(2) *All other sales*. On all other sales, the seller must deduct from the otherwise applicable maximum price the exact amount of the reduction required to be made to him by his supplier pursuant to the provisions of this supplementary order.

(b) The reduction provided for by paragraph (a) hereof shall be inapplicable, if the railroad freight rate increase on solid fuel received in whole or in part by rail has been incurred as a result of the order of the Interstate Commerce Commission on Docket Ex Parte 162 (as provided in § 1340.257 (a) of Revised Maximum Price Regulation No. 122, as amended).

(c) Subject to the provisions of paragraph (b) hereof, all dealers shall, by appropriate notation on the invoice, indicate clearly that the railroad freight rate increase (referred to in paragraph (b) above) has not been incurred.

(d) *Orders affected*. This supplementary order shall apply to the following Region I orders under Revised Maximum Price Regulation No. 122:

Subparagraphs of
paragraph (c)
of Revised Or-
der No. G-70

	Area
Appendix 6.....	Hartford, Connecticut.
Appendix 7.....	Metropolitan Boston.
Appendix 11.....	Springfield, Massachusetts.
Appendix 16.....	Lowell, Massachusetts.
Appendix 17.....	Lawrence, Massachusetts.
Appendix 18.....	Haverhill, Massachusetts.
Appendix 20.....	Worcester, Massachusetts.
Appendix 21.....	North Shore, Massachusetts.

This Supplementary Order No. 25 shall become effective August 21, 1946.

Issued this 21st day of August 1946.

ELDON C. SHOUP,
Regional Administrator.

OPINION ACCOMPANYING SUPPLEMENTARY
ORDER NO. 25 UNDER REVISED MAXIMUM
PRICE REGULATION NO. 122

The provisions of the accompany supplementary order will serve for a temporary period as a general footnote to the specific revisions (issued and effective simultaneously herewith) of the bituminous area price orders affected thereby. In substance, it provides for a conditional modification of those bituminous price schedules, as presently revised, to require elimination of the amount of the general increase in railroad freight rates included therein, if said increased rail freight charges have not been incurred. It will, thus, prevent a windfall to dealers on sales on which they are not entitled under the applicable provisions of Revised Maximum Price Regulation No. 122, as amended (to collect the amount of the rail freight increase), and also will preclude increased costs to consumers for which there would be no justification.

The interim increases, so-called, in general rail freight rates granted by the Interstate Commerce Commission became effective on July 1, 1946. The increase applicable on solid fuels from the mines coming to New England in whole or in part by rail amounts to 8¢ per net ton. The exact amount of that increase has been reflected in the current revisions

of the bituminous price schedules now involved. However, reports to this office clearly disclose that dealers' stocks now on hand still include substantial amounts of coal on which the July 1st rail freight rate increase was not incurred. The proportions of such stocks as presently held vary widely among different dealers. The presence, at this date, of any sizable amounts of such coal has been due to the heavy accumulations of bituminous coals at the in-transit docks located at Hampton Roads, Virginia, prior to July 1, the effective date of the general rail freight rate increases.

While, therefore, coals which had not incurred the freight increase would naturally be expected to be found now in heaviest concentration in the hands of dealers located in areas in this region receiving coals by tidewater, the accompanying supplementary order is made applicable to all of the bituminous area price orders for which current revisions become effective herewith. It is contemplated that shortly, when the accompanying supplementary order has served its purpose, it will be revoked. Although it would have been preferable to defer the issuance of the specific revisions of the bituminous area orders until the conditions necessitating the issuance of the present supplementary order had ceased to exist, such postponement was not feasible for a variety of reasons under present circumstances.

[F. R. Doc. 46-17301; Filed, Sept. 25, 1946; 9:08 a. m.]

[Region III Rev. Order G-6 Under RMPR 122, Amdt. 2]

SOLID FUELS IN LIMA, OHIO AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*:

(1) Paragraph (e) (1), Schedule I, Part III, of Revised Order No. G-6 under Revised Maximum Price Regulation No. 122 (Solid Fuels Sold and Delivered by Dealers, Maximum Prices for Specified Solid Fuels in the Lima, Ohio Area) be and the same is hereby amended to read as follows:

SCHEDULE I

SOLID FUEL RECEIVED BY RAIL

	Column I	Column II
III. High volatile bituminous coals from Producing District 3 (northern West Virginia, excluding Panhandle):		
A. Lump and egg, size group 1 (bottom size larger than 2"):		
1. Mine Price Classification A.....		\$10.26
2. All other.....		8.88
B. Lump and egg, size group 2 (bottom size 2" and smaller):		
1. Mine Price Classification A.....		9.58
2. All other.....		8.58

This Amendment No. 2 shall become effective September 4, 1946.

Issued September 4, 1946.

JOHN F. KESSEL,
Regional Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 2
TO REVISED ORDER NO. G-6 UNDER REVISED
MAXIMUM PRICE REGULATION NO. 122

At the time of issuance of Revised Order No. G-6 under Revised Maximum Price Regulation No. 122, the dealers in the area covered by this order were receiving coal of classifications with similar mine costs. Consequently, no mine price classifications were designated in Schedule I.

Recently dealers in this area have been receiving coal of Mine Price Classification A which costs as much as one dollar (\$1.00) per ton more than the next lower class. It is, therefore, considered necessary that the higher priced coal be separately priced from other coal, so that the higher mine costs may properly be reflected in the dealers' selling price. The accompanying amendment to Revised Order No. G-6 is designed to accomplish that purpose.

It is the opinion of the Regional Administrator that the provisions of the

accompanying order are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17295; Filed, Sept. 25, 1946;
9:09 a. m.]

[Adopting Order 1 Under Basic Order 1 Under
Rev. Gen. Order 65, Amdt. 1]

SOUTHERN SHORLEAF YELLOW PINE
LUMBER IN NEW YORK DISTRICT

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Adopting Order No. 1 under Basic Order No. 1, as amended, under Revised General Order No. 65, is hereby amended in the following respects:

1. Sheet No. 6 in Schedule A-3, Price Table for Drop Siding, Ceiling and Partition, Shortleaf Yellow Pine is hereby amended as per the annexed schedule.

This amendment shall become effective immediately.

Issued this 23d day of September 1946.

DAVID J. WILLIAMS,
Assistant to the
Regional Administrator.

DROP SIDING, CEILING, AND PARTITION

Shortleaf Yellow Pine

PRICE TABLE

[Per 1,000 board feet]

Applies to kiln-dried lumber worked to pattern, with plain ends, when sold in random lengths of 4 to 20 feet with standard grading rule restrictions on short lengths, or when sold in specific lengths of 7 to 20 feet. No addition to these prices may be made for grade marking.

Nominal thickness and nominal width	Pattern	Sales totaling over 1,000 ft.			Sales totaling 1,000 ft. or less		
		Grade B and better	Grade C	Grade D or No. 2	Grade B and better	Grade C	Grade D or No. 2
		Drop siding					
1" x 6"-----	115, 117, 118, 119	\$89.00	\$87.00	\$78.00	\$96.00	\$94.00	\$90.00
1" x 6"-----	All other-----	104.00	100.00	79.00	111.00	107.00	91.00
1" x 8"-----	All-----	105.00	100.00	79.00	112.00	107.00	91.00
1" x 10"-----	All-----	117.00	107.00	83.00	124.00	114.00	95.00
		Ceiling—Standard Bead or "V," surfaced 1 or 2 sides					
5/16" and 7/16" x 3" and 4"-----		\$71.00	\$66.00	\$55.00	\$77.00	\$72.00	\$65.00
5/16" and 7/16" x 6"-----		74.00	69.00	57.00	80.00	75.00	67.00
5/16" x 3" and 4"-----		77.00	75.00	62.00	83.00	81.00	72.00
5/16" x 5" and 6"-----		80.00	78.00	65.00	86.00	84.00	75.00
1 1/16" to 2 5/16" x 3" and 4"-----		95.00	91.00	73.00	101.00	97.00	83.00
1 1/16" to 2 5/16" x 5" and 6"-----		97.00	92.00	74.00	103.00	98.00	84.00
		Partition					
3 1/2" x 4"-----		\$94.00	\$90.00	\$72.00	\$101.00	\$97.00	\$83.00
3 1/2" x 4"-----		103.00	98.00	75.00	110.00	105.00	86.00
3 1/2" x 6"-----		97.00	93.00	75.00	104.00	100.00	86.00
3 1/2" x 6"-----		106.00	101.00	78.00	113.00	108.00	89.00

Additions and deductions per 1,000 board feet:

1. AIR DRIED.—From the kiln-dried price for size, grade, and pattern.....deduct.....\$1.00
2. 4, 5, AND 6 FT. LENGTHS SOLD ON SPECIFIC LENGTH—From the random length price for the size, grade, pattern, and condition:
 - For B and better and C.....deduct.....\$12.00
 - For D and No. 2.....deduct.....\$3.00
3. SALES LESS THAN \$7.50—When the total sale is less than \$7.50 the prices as determined above may be increased 10%.
4. WORKINGS AND DELIVERY.—For permitted additions for workings to customer's order, and for delivery, see 2nd RMPR 215.
5. OTHER DROP SIDING, CEILING, AND PARTITION.—Continue to compute maximum prices under 2nd RMPR 215 on shortleaf yellow pine drop siding, ceiling, and partition not priced above.

These prices apply to all retail type sales and deliveries by yards located in all that part of Suffolk County lying East of the 73rd degree meridian including East Patchogue, Medford, Coram and Millers Place, regardless of the place to which delivery is made. Size of sale is based on the total of all softwood lumber and hardwood flooring sold in one sale.

OPINION ACCOMPANYING ADOPTING ORDER NO. 1 UNDER BASIC ORDER NO. 1, AS AMENDED, UNDER REVISED GENERAL ORDER NO. 65

On August 28, 1946, Adopting Order No. 1 under Basic Order No. 1, as amended, under Revised General Order No. 65, was issued effective September 3, 1946. Inadvertently, and by reason of errors in transcription, sheet No. 6 of Schedule A-3 in said Order, Price Table for Drop Siding, Ceiling and Partition, Shortleaf Yellow Pine contained incorrect prices. This amendment rectifies said errors by amending the said sheet No. 6 to set out the correct prices. In all other respects, Schedule A-3 remains the same.

[F. R. Doc. 46-17304; Filed, Sept. 25, 1946;
9:06 a. m.]

[Twin Cities Order G-1 Under Gen. Order 68,
Amdt. 3]

HARD BUILDING MATERIALS IN THE ST. PAUL,
MINN., AREA

For the reasons set forth in the accompanying opinion issued simultaneously herewith, *It is ordered:*

1. The heading of the order is amended to read as set forth above.
2. The appendix is hereby amended to read as set forth below.
3. This amendment shall become effective July 31, 1946.
4. Issued this 29th day of July 1946.

CAREL C. KOCH,
District Director.

APPENDIX

Commodity	Unit	Maximum price
Plaster:		
Hard wall.....	Paper sack.....	\$0.95
Gauging.....	Paper sack.....	.95
Moulding.....	Paper sack.....	1.20
Keene's cement.....	Paper sack.....	1.75
Finishing lime.....	Paper sack.....	.65
Gypsum lath, 3/8 in.....	Sq. yd.....	.23
Metal lath:		
2.5 lb., painted diamond mesh, 26 gauge.....	Sq. yd.....	.25
2.5 lb., galvanized, 26 gauge.....	Sq. yd.....	.29 1/2
3.4 lb., painted diamond mesh, 24 gauge.....	Sq. yd.....	.30
3.4 lb., galvanized.....	Sq. yd.....	.34
2.75 lb., flat rib, painted.....	Sq. yd.....	.31
3.4 lb., copper bearing.....	Sq. yd.....	.31
3.4 lb., 3/8 in. high rib, painted.....	Sq. yd.....	.36
Corner bead straight edges.....	Per lin. ft.....	.037
Expanded type.....	Per lin. ft.....	.042
Portland Cement.....	Paper bag.....	.77 1/2
Do.....	Cloth bag.....	.85
Masonry mortar.....	Paper bag.....	.63
Do.....	Cloth bag.....	.70
Portland cement:		
Bulk.....	Bbl.....	2.52
White.....	Paper sack.....	2.12 1/4
Hi-Early cement.....	Paper sack.....	.96 1/4
Gypsum block-partitions 4-in. hollow.....	4 x 12 x 30 sq. ft.....	.10
Vitrified clay sewer pipe:		
4-in.....	Lin. ft.....	.23
6-in.....	Lin. ft.....	.26
Flue lining:		
8 x 8.....	Per ft.....	.40
8 x 12.....	Per ft.....	.54
12 x 12.....	Per ft.....	.70

OPINION ACCOMPANYING AMENDMENT NO. 3
TO ORDER NO. 1 UNDER GENERAL ORDER
NO. 68

Pursuant to the provisions of General Order No. 68, under which authority Order No. 1 was issued, maximum prices set by the order may be adjusted when they are no longer fair and equitable.

Recently, manufacturers' ceilings for metal lath and accessories, asphalt roofing products and Portland cement in paper bags were increased. Evidence submitted to this office indicates that manufacturers have lawfully increased their prices to resellers on such items. Consequently, resellers' ceilings under the order are no longer fair and equitable and require adjustment to reflect the increase in cost. The accompanying amendment accomplishes that result.

Orders issued pursuant to General Orders, such as General Order No. 68, are prefixed by the letter G. Inadvertently, Order No. 1 failed to carry such designation. The accompanying amendment makes the necessary correction.

[F. R. Doc. 46-17296; Filed, Sept. 25, 1946; 9:09 a. m.]

[Region III Order G-24 Under MPR 592, Amdt. 2]

READY MIX CONCRETE IN LOUISVILLE, KY., AREA

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 17 of Maximum Price Regulation No. 592 and the Emergency Price Control Act of 1942, as amended, it is ordered, That Order No. G-24 under section 17 of Maximum Price Regulation No. 592 be and hereby is amended in the following respects:

Paragraph (b) is amended to read as follows:

(b) *Area covered.* The Louisville, Kentucky, area as used herein contains all that territory located within Jefferson County, Kentucky, and Floyd and Clark Counties, Indiana.

This Amendment No. 2 to Order No. G-24 shall become effective September 11, 1946.

Issued September 11, 1946.

JOHN F. KESSEL,
Regional Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 2 TO ORDER NO. G-24 UNDER SECTION 17 OF MAXIMUM PRICE REGULATION 592

The accompanying amendment to Order No. G-24 under section 17 of Maximum Price Regulation No. 592 provides for an extension of the area covered by Order No. G-24.

It has been determined that Clark and Floyd Counties, Indiana are a part of the Louisville, Kentucky trading area and the order has, therefore, been amended to include Clark and Floyd Counties.

The change established in the accompanying amendment is considered generally fair and equitable in accordance with the provisions of Maximum Price Regulation No. 592 and consistent with the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17254; Filed, Sept. 24, 1946; 8:59 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 123]

SOLID FUELS IN DUBUQUE, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Re-

vised Maximum Price Regulation No. 122 is amended in the following respects:

1. In Appendix No. 14 to Order No. G-16, paragraph (b); sub-paragraphs I to VIII are amended to read as follows:

PRICE SCHEDULE		Delivered per ton
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):		
1. Lump—egg and stove (all lump coal, bottom size $\frac{3}{8}$ " ; all egg coal, top size larger than 3", bottom size no limit; all stove coal top size larger than $1\frac{1}{2}$ " but not exceeding 3", bottom size smaller than 3") in price classifications A and B.....		\$15.09
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina):		
1. Lump—size group Nos. 1 and 2 (all single screened lump coals bottom size larger than 3") in price classification A.....	14.52	
In price classifications F through K.....	14.07	
In price classifications F through K (from southern Appalachian subdistrict No. 6).....	14.22	
2. Egg—size group No. 3 (all double screened egg coal top size larger than 3" but not exceeding 6" and bottom size larger than 3" but not exceeding 4") mine index No. 370 only.....	14.27	
3. Stoker—size group No. 10 (all double screened stoker coals, top size not exceeding $1\frac{1}{4}$ " and bottom size less than $1\frac{1}{4}$ ") in price classifications B through E, inc.....	14.02	
III. High volatile bituminous coal from district No. 9 (western Kentucky):		
1. Lump and egg—size group Nos. 1, 2 and 3 (all single screened lump coals and all double screened egg coals bottom size larger than 2"):		
a. No. 6 seam.....	10.91	
b. No. 14 seam.....	10.16	
c. No. 9 seam.....	9.91	
2. Stoker—size group No. 8-12 inc. (all raw double screened nut, stoker and pea coal, top size not exceeding 2" and bottom size larger than 10 mesh or $\frac{3}{32}$ " No. 6 seam.....	10.11	
3. Screenings, size group Nos. 13 and 14 (all raw screenings larger than $\frac{3}{8}$ " by 0 but not exceeding 2" x 0). No. 6 seam.....	8.86	
IV. High volatile bituminous coal from district No. 10 (Illinois):		
A. Southern subdistrict—price group Nos. 1, 2 and 8 (deep machine mines):		
1. Lump—size group No. 1 (all lump coal, bottom size larger than 4" washed or raw).....	11.86	
2. Egg—size group No. 3 (all lump and egg coals, bottom size larger than 2" but not exceeding 3", washed or raw).....	11.16	
3. Egg—size group No. 5 (all egg coals, bottom size larger than $1\frac{1}{2}$ " but not exceeding 2" and top size larger than 2" but not exceeding 4", washed or raw).....	10.81	
4. Stoker—size group Nos. 21, 22 and 28 (washed or air-cleaned nut and pea coal, bottom size larger than 1 millimeter and top size not exceeding 2"; and dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding $\frac{3}{8}$ ").....	9.41	

PRICE SCHEDULE—Continued

	Delivered per ton
IV. High volatile bituminous coal from district No. 10—Continued.	
A. Southern subdistrict, etc.—Con.	
5. Washed or dedusted screenings, size group Nos. 23, 24, 26 and 27 (washed, air-cleaned or dry dedusted screenings top size not exceeding 2").....	\$8.91
B. Belleville and DuQuoin subdistricts, price group Nos. 10 and 16-22 inclusive:	
1. Lump and egg—size group Nos. 1, 2 and 3 (all lump and egg coals, bottom size larger than 2" washed or raw):	
a. Strip mines.....	9.51
b. Deep machine mines.....	9.71
2. Washed stoker—size group Nos. 17-20 inclusive (all washed or air-cleaned nut and pea coal bottom size larger than 10 mesh or $\frac{3}{32}$ " and top size not exceeding 2"):	
a. Strip mines.....	8.56
b. Deep machine mines.....	8.76
C. Fulton-Peoria subdistrict, price group Nos. 24, 25 and 26 (strip mines):	
1. Egg—size group Nos. 2 and 3 (all egg coals, bottom size larger than 2" but not exceeding 4" washed or raw).....	8.91
2. Egg and stove—size group Nos. 4, 5, 6 and 8 (all egg and stove coals bottom size 2" and smaller washed or raw).....	8.96
D. Central subdistrict, price group Nos. 12 and 13 (deep machine mines):	
1. Lump and egg—size groups Nos. 1, 2 and 3 (all lump or egg coals, bottom size larger than 2" washed or raw).....	9.66
V. High volatile bituminous coal from district No. 11 (Indiana):	
1. Lump and egg—size group Nos. 1, 2 and 3 (all lump and egg coals, bottom size larger than 2" washed or raw) price group Nos. 6 and 14.....	11.09
2. Lump and egg—size group Nos. 1 and 2 (all lump and egg coals, bottom size larger than 3" washed or raw) price group Nos. 15 and 16.....	11.29
3. Lump—size group No. 1 (all lump coal, bottom size larger than 4" washed or raw) price group Nos. 5 and 13.....	10.84
4. Egg—size group Nos. 2 and 3 (all egg coal, bottom size larger than 2" but not larger than 4" washed or raw) price group Nos. 5 and 13.....	10.09
5. Egg—size group No. 4 (all egg coal, bottom size larger than $1\frac{1}{2}$ " but not exceeding 2" and top size larger than 2" washed or raw) price group Nos. 15 and 16.....	10.14
6. Stove—size group No. 8 (all stove coal, bottom size larger than $\frac{3}{8}$ " and top size larger than $1\frac{1}{2}$ " but not exceeding 2" washed or raw) price group Nos. 6 and 14.....	9.84
7. Raw or washed stoker 0 size group Nos. 9-12 inc. and 17 and 22 inc. (raw nut and pea coal, bottom size larger than 10 mesh or $\frac{3}{32}$ " and top size not exceeding 2"; and nut and pea coal washed or air-cleaned bottom size larger than 1 millimeter top size not exceeding 2") price group Nos. 6 and 14.....	9.85
VI. Briquettes—Berwind.....	15.01
VII. Anthracite—stove and nut.....	22.23

PRICE SCHEDULE—Continued

Delivered per ton	
VII. Coke byproduct:	
1. A, B, C, or Chicago Solvay or Koppers	\$18.83
2. Terre Haute	18.08
3. Racine	17.33

2. In Appendix No. 14 to Order No. G-16, paragraph (e) is amended to read as follows:

(e) *Discounts.* The maximum prices set forth in section (b) shall be subject to the following discounts:

Per ton	
1. On sales paid for on delivery or within 15 days thereafter	\$0.50
2. On sales of stoker coal in lots of 2 tons or more and less than 20 tons	.25
3. On sales of all types of coal in lots of 20 tons or more, except stoker and screenings sizes	1.50
4. On yard sales to domestic consumers	1.00
5. On yard sales to other dealers of:	
(a) Coal priced at \$10 or more per ton	1.69
(b) All other coal	1.19

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this office.

This Amendment No. 123 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective September 16, 1946.

Issued this 9th day of September 1946.

EARL W. CLARK,
Regional Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 123 TO ORDER NO. G-16 UNDER REVISED MAXIMUM PRICE REGULATION NO. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record-keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-32 under Revised Maximum Price Regulation No. 122, reflecting an increase granted by Amendment 40, and provisions of Amendment 42 to that regulation.
2. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122, reflecting increases to producers of certain solid fuels, granted by Amendment

158 to Maximum Price Regulation No. 120.

3. Regional Order G-37 under Revised Maximum Price Regulation No. 122 reflecting increases to producers of anthracite, granted by Amendment No. 23 to Maximum Price Regulation No. 112.

4. Regional Order No. G-39 under Revised Maximum Price Regulation No. 122, reflecting increases granted by Amendment No. 5 to Maximum Price Regulation No. 29.

5. Amendments Nos. 46 and 48 to Revised Maximum Price Regulation No. 122.

6. A report filed with the National Office of the Office of Price Administration relating to briquettes.

[F. R. Doc. 46-17177; Filed, Sept. 24, 1946; 9:07 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 134]

SOLID FUELS IN GREEN BAY, WIS., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 25 to Order No. G-16, paragraph (b), Price schedule, subparagraph III is amended to read as follows:

III. Pennsylvania anthracite:	
1. Egg	\$17.95
2. Stove	17.95
3. Nut	17.95
4. Pea	16.10
5. Buckwheat	13.40

The maximum prices set forth above are for sales of anthracite by C. Reiss Coal Company and others. They include a 75 cents per ton adjustment granted pursuant to an application filed by that company under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, and, in addition thereto, they reflect and supersede maximum prices for those sales granted by general orders applicable throughout Region VI of the Office of Price Administration reflecting increases granted by Amendments 45, 46, 47 and 48 to Revised Maximum Price Regulation No. 122.

This Amendment No. 134 to Order No. G-16 of Revised Maximum Price Regulation No. 122 shall become effective September 6, 1946.

Issued this 6th day of September 1946.

EARL W. CLARK,
Regional Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 134 TO ORDER NO. G-16 UNDER REVISED MAXIMUM PRICE REGULATION NO. 122

Section 1340.260 of Revised Maximum Price Regulation No. 122 authorizes the Regional Administrator of the Office of Price Administration to establish by order, maximum prices in line with those established by that regulation for deliveries of solid fuels made, or the services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting record-keeping or other requirements may be made of the dealer or dealers involved.

The Amendment No. 134 shall remain in effect with respect to sales of anthracite in the Green Bay Area as defined in Appendix No. 25 to Order No. G-16, and until that order is further amended reflecting the increases in effect for all solid fuels sold in that area granted by the amendments to the regulation cited in Amendment No. 134.

[F. R. Doc. 46-17171; Filed, Sept. 24, 1946; 9:04 a. m.]

[Chicago Order G-1 Under Gen. Order 68, Amdt. 6]

HARD BUILDING MATERIALS IN COOK COUNTY, ILL., AREA

The price of Masonry Mortar (paper sacks), listed as Item 13, Appendix A, in Amendment No. 5, at \$2.20 per barrel, be and is hereby corrected to read \$2.26 per barrel.

The price of Masonry Mortar (paper sacks), listed as Item 13, Appendix B, in Amendment 5, at 65 cents a bag, be and hereby is corrected to read 66½ cents a bag.

This Amendment No. 6 to District Order No. G-1 under General Order No. 68 shall become effective August 24, 1946.

Issued this 12th day of September 1946.

JAMES F. RILEY,
District Director.

OPINION ACCOMPANYING AMENDMENT NO. 6 TO DISTRICT ORDER G-1 UNDER GENERAL ORDER 68

This amendment is issued to correct an error of mathematical computation in the price of Masonry Mortar (paper sacks).

[F. R. Doc. 46-17307; Filed, Sept. 25, 1946; 9:05 a. m.]

[Omaha Order G-1 Under RMPR 251, Amdt. 1]

RE-ROOFING AND RE-SIDING IN OMAHA DISTRICT

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order No. G-1 under section 9 of Revised Maximum Price Regulation No. 251 is amended in the following respects:

(1) The effective date of the order is changed from July 8, 1946 to September 25, 1946.

(2) The maximum prices as set forth in Appendix A are amended to read as set forth in the attached Revised Appendix A which is incorporated into and made a part of this order.

This Amendment No. 1 to Order No. G-1 under section 9 of Revised Maximum Price Regulation No. 251 shall become effective September 25, 1946.

Issued this 16th day of September 1946.

EDWIN F. MORAN,
District Director.

REVISED APPENDIX A
GENERAL

1. *Geographical applicability.* The prices and provisions of this Appendix and Order

G-1 shall apply to the sales of composition re-siding and re-roofing materials on an installed basis for which prices are established in this appendix, where such work is performed on existing residential structures located within the "Omaha Area". For the purposes of this order, the "Omaha Area" shall consist of the unincorporated village of Fort Crook, Nebraska, the incorporated limits of the Cities of Ralston and Bellevue, Nebraska and the City of Omaha, Nebraska. For work performed on structures located outside of the Omaha Area, the seller shall determine his maximum prices under the provisions of RMPR 251 or such other regulations or orders as may be applicable.

2. *Quality of materials.* The roofing and siding materials for which prices are set out below shall be "standard quality" materials.

3. *Guaranty of work and materials.* Each seller may guarantee the construction work covered by this order, including quality of materials and workmanship, but may not make any additional charge because of such guaranty.

4. *Measurements.* The measurements for each job shall be calculated on an "overall" basis and no allowance may be made nor additions in price permitted for soldier course, bay windows or dormer gables.

MAXIMUM PRICES FOR INSTALLED RE-SIDING

Rolled brick siding

	<i>Per square</i>
All prices on all brick siding include the following accessories and services: Either zinc or brick siding strip corners; necessary moulding; refacing of sills; necessary lath up to one bundle per square; nails, caulking and joint strips.	
Rolled brick siding with black backerboard or weatherpad....	\$17.50
Rolled brick siding without black backerboard or weatherpad....	14.25
Rolled brick siding without black backerboard or weatherpad but with 15-pound asphalt felt....	15.85
Rolled brick siding without black backerboard or weatherpad but with 30-pound asphalt felt....	16.65

Insulated brick and stone siding

14 3/8" x 43 3/8", 13 3/8" x 43 3/8", 14" x 43"	\$26.50
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The above price includes either insulated brick or stone corner pieces; necessary moulding and refacing of sills; necessary lath up to one bundle per square; nails, caulking and joint strips.

Asbestos cement siding—Standard surface

White or standard colors, 12" x 24" or 12" x 27", 8 1/2" x 9" or 9 1/2" x 22" or 24"	
--	--

All prices on asbestos cement siding include the following accessories and services: Either zinc or mitered corners; necessary moulding and refacing of sills; necessary lath up to one bundle per square; nails, caulking and joint strips.	
Asbestos cement siding with 15-pound asphalt felt.....	\$21.00
Asbestos cement siding without 15-pound asphalt felt.....	19.80
Asbestos cement siding with 30-pound asphalt felt instead of 15-pound asphalt felt.....	21.80
Asbestos cement siding with black backerboard or weatherpad instead of 15-pound asphalt felt....	22.80

MAXIMUM PRICES FOR INSTALLED RE-SIDING—continued

Re-siding accessories and items of additional charges

	<i>Per square</i>
Lath:	
Extra charge per bundle (after first bundle per square).....	\$1.85
All re-siding above second floor ceiling, extra charge per square....	2.15
Applying re-siding to second floor when first floor is not covered, extra charge per square.....	2.15
Small quantity differential: For any re-siding installation of two squares or less, the seller may make an additional charge per square.....	2.00
Stucco: Removing old stucco per square.....	2.15

MAXIMUM PRICES FOR INSTALLED RE-ROOFING

12" thick butt (3 in 1) 210 pound shingles.....	\$12.30
11 1/2" hexagon strip—167-pound shingles.....	10.40
Diamond point—105-pound shingles.....	8.20
Staggered edge—105-pound shingles.....	8.20
Rolled roofing—Mineral surface—90 pound.....	6.00
The above prices include flashing around chimneys and vents; 90 pound rolled roofing for valleys; necessary rake strips; necessary hip and ridge shingles or roofing, nails and mastic.	

Additional charges applicable to re-roofing

Small quantity differential: For any re-roofing installation of four squares or less, the seller may make an additional charge per square....	\$2.00
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OPINION ACCOMPANYING AMENDMENT NO. 1 TO ORDER NO. G-1 UNDER SECTION 9 OF REVISED MAXIMUM PRICE REGULATION NO. 251

On June 24, 1946, for the reasons set forth in an opinion issued simultaneously therewith, this office issued Order No. G-1 under section 9 of Revised Maximum Price Regulation No. 251, which order established maximum prices for installed re-roofing and re-siding and related construction work in the "Omaha Area" which consists of the unincorporated village of Fort Crook, Nebraska, the incorporated limits of the cities of Ralston and Bellevue, Nebraska, and the City of Omaha, Nebraska. This order was by its terms to become effective on June 8, 1946, but prior to that time, to wit, at midnight on June 30, 1946, the Emergency Price Control Act of 1942, as amended, and all regulations and orders issued thereunder terminated, as specifically provided in the Act itself. The new act which extended OPA was not finally enacted until July 25, 1946, and therefore during the interim period July 1 to July 25, 1946, there was no authority to control prices.

Section 18 of the "Price Control Extension Act of 1946" provides that all regulations, orders, price schedules and requirements under the Emergency Price Control Act of 1942 and the Stabilization Act of 1942, as amended, which were in effect on June 30, 1946, shall be in effect in the same manner and to the same extent as if the Extension Act had been enacted on June 30, 1946. This provision

had the effect of reviving or revitalizing all OPA regulations, orders, etc., which were "in effect" on June 30, 1946. Since, as previously stated, Order No. G-1 under section 9 of Revised Maximum Price Regulation No. 251 was not "in effect" on June 30, 1946, it was not affected by the above quoted provision of the new act and hence never became effective.

Today's amendment, effective September 25, 1946, makes provision for putting the order above referred to in effect as of September 26, 1946, by amending the effective date of the order as originally issued. The amendment provides that the effective date of the order shall be September 25, 1946.

In addition, today's amendment substitutes a new "Revised Appendix A" for "Appendix A" as set out in the order as originally issued. Prices established in the new "Revised Appendix A" are higher than those originally established in the order and reflect recent increases in material costs under Amendment 8 to RPS 45 and Amendment 6 to MPR 466, increases in the labor costs resulting from approved labor increases for re-roofers and re-siders, and increases in miscellaneous expenses accompanying such wage increases.

It is the opinion of the District Director that the accompanying amendment to the above named order establishes prices that are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250, Executive Order No. 9328 and Executive Order No. 9599.

[F. R. Doc. 46-17169; Filed, Sept. 24, 1946; 9:02 a. m.]

[Newark Rev. Order G-1 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN NEW JERSEY AREA

For the reasons stated in an accompanying opinion, this order is issued.

SECTION 1. *What this order does.* This order establishes the amount of freight from "basing point" to "wholesale receiving point" which may be added to the maximum f. o. b. shipping point price to determine the maximum selling prices for certain fresh fruits and vegetables at all "wholesale receiving points" in the area described in section 2 below.

SEC. 2. *Area covered.* This order applies in Counties of Bergen, Essex, Hudson, Morris, Passaic, Sussex and Union, New Jersey.

SEC. 3. *Amount of freight allowance.* The amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices of the items covered by this regulation at all wholesale receiving points in the area described above, and in the markets they serve, shall be the amounts set forth in the Appendices hereunto annexed. This

amount includes all allowances, if any, for protective and other accessorial services and all taxes on transportation costs. The amount of freight from basing point to the City of Newark, and all wholesale receiving points in the Counties of Bergen, Essex, Hudson, Morris, Passaic, Sussex and Union, New Jersey, is hereinafter set forth in Appendix A. Appendix B establishes additional transportation allowances (cartage) to all wholesale points in the seven coun-

ties as enumerated, when the commodities listed in Appendix B are transported from New York or Newark, New Jersey.

SEC. 4. *Meaning of terms.* The terms "basing point" and "wholesale receiving point" are to be understood as defined in Maximum Price Regulation No. 426.

SEC. 5. This Revised Order G-1 revises and supersedes Order G-1 issued by the Newark District Office, August 16, 1944.

SEC. 6. *Effective date.* This revised order shall become effective on August 13, 1946 at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F. R. 7871; E. O. 9328, 8 F. R. 4687; MPR 426, 8 F. R. 16409)

RICHARD J. TARRANT,
District Director.

Issued AUGUST 13, 1946.

For Agriculture:
K. W. SCHAELE.

APPENDIX A

FREIGHT FROM BASING POINT TO NEWARK, NEW JERSEY, AND ALL WHOLESALE RECEIVING POINTS IN COUNTIES OF ESSEX, BERGEN, HUDSON, PASSAIC, SUSSEX, MORRIS AND UNION

Commodity	Standard container and minimum contents	Basing point	Date	Freight allowance
Carrots, bunched	L. A. crate, 72 bunches, each bunch 1 pound	El Centro, Calif.	Jan. 16 to Mar. 31	\$1.53
		do.	Apr. 1 to May 31	1.64
		Salinas, Calif.	June 1 to Nov. 30	1.74
		do.	Dec. 1 to Jan. 15	1.64
Grapefruit, pink, California and Arizona	1½ bushels	Los Angeles, Calif.	Nov. 1 to Apr. 30	1.24
		do.	May 1 to Oct. 31	1.31
Grapefruit, pink, all other States	1½ bushels	Weslaco, Tex.	All year	1.17
Grapefruit, white, California and Arizona	1½ bushels	Los Angeles, Calif.	Nov. 1 to Apr. 30	1.24
		do.	May 1 to Oct. 31	1.31
Grapefruit, white, Texas	1½ bushels	Weslaco, Tex.	All year	1.17
Grapefruit, white, all other States including "Indian River"	1½ bushels	Homestead, Fla.	do.	.93
Lemons, all States	1½ bushels	Los Angeles, Calif.	Nov. 1 to Apr. 30	1.28
		do.	May 1 to Oct. 31	1.42
		El Centro, Calif.	Jan. 1 to Feb. 28	1.56
		do.	Mar. 1 to Mar. 31	1.60
		Salinas, Calif.	Apr. 1 to Apr. 30	1.68
		do.	May 1 to May 31	1.73
		do.	June 1 to Oct. 15	1.83
		do.	Oct. 16 to Nov. 30	1.68
		El Centro, Calif.	Dec. 1 to Dec. 31	1.60
		do.	Beginning of season to July 25	1.90
		Mendota, Calif.	July 26 to end of season	1.98
		El Centro, Calif.	Beginning of season to July 25	1.65
		Mendota, Calif.	July 26 to end of season	1.72
		El Centro, Calif.	All season	1.38
		Mendota, Calif.	All year	1.14
Casaba melons	Jumbo or standard crate, 42 pounds	El Centro, Calif.	Beginning of season to July 25	1.09
Honeydew melons	Jumbo or standard honeydew crate, 39 pounds	Mendota, Calif.	July 26 to end of season	1.14
		El Centro, Calif.	Beginning of season to July 25	1.90
		Mendota, Calif.	July 26 to end of season	1.98
		do.	All year	1.14
Cranshaw melons	Jumbo or standard crate, 40 pounds	do.	do.	1.14
Persian melons	Jumbo Persian crate, 43 pounds	do.	do.	1.02
	Standard Persian crate, 37 pounds	do.	do.	.93
	Pony Persian crate, 35 pounds	do.	do.	1.35
Oranges, California and Arizona	1½ bushels	Los Angeles, Calif.	Nov. 16 to Apr. 30	1.43
		do.	May 1 to Nov. 15	.93
Oranges, all other States, including "Indian River"	1½ bushels	Homestead, Fla.	All year	.62
Snap beans (green or wax)	Bushel, 28 pounds	Pompano, Fla.	do.	.42
Spinach	Bushel, 18 pounds	Crystal City, Tex.	do.	.53
Sweetpotatoes:				
Green	50 pounds	Sunset, La.	do.	.53
Cured	45 pounds	do.	do.	.53
Tangerines, all States except California and Arizona	1½ bushels	Homestead, Fla.	do.	.93

APPENDIX B

FREIGHT ALLOWANCE TO ALL WHOLESALE RECEIVING POINTS IN THE COUNTIES OF ESSEX, BERGEN, HUDSON, PASSAIC, SUSSEX, MORRIS AND UNION

Commodity in standard containers and minimum contents as in appendix A	To all wholesale receiving points in counties of—	
	Essex, Hudson, and Union	Bergen, Passaic, Sussex, and Morris
Apples, bushel		\$0.15
Carrots, bunched		.20
Citrus fruits, all (1½ or 1¾ bushels)	\$0.15	.20
Lettuce, iceberg		.20
Melons:		
Jumbo cantaloup, crate		.20
All others		.15
Peaches, bushel		.15
lug		.10
Snap beans (green or wax)		.10
Spinach		.10
Sweetpotatoes		.15

NOTE: Above transportation allowance not permitted on carlot or trucklot receipts in wholesale markets direct from shipping point.

OPINION ACCOMPANYING REVISED ORDER NO. G-1 UNDER MAXIMUM PRICE REGULATION NO. 426

Maximum selling prices of fresh fruits and vegetables and citrus fruits (under price control) for all sales except at retail at all wholesale receiving points in the Counties of Bergen, Essex, Hudson, Morris, Passaic, Sussex and Union, New Jersey, and in the markets they serve, are determined under Maximum Price Regulation No. 426. Prices are established by adding markups to the "delivered price" at the receiving point. The delivered price is established by adding to the maximum basing point price the cost of freight from the basing point to the wholesale receiving point. Section 8 (a) (7) of Maximum Price Regulation No. 426 authorizes and directs the Regional Administrators, and such District Directors as may be authorized by the appropriate Regional Administrator, to determine for each item covered by that regulation, the cheapest customary and

generally available method of transportation from the basing point to each wholesale receiving point within their jurisdiction, and to establish the amount of freight cost which may be added to the basing point price for the purpose of establishing maximum selling prices at each wholesale receiving point and in the markets they serve. This authority was delegated by order to the District Director of the Newark District by the Regional Administrator for Region II.

An examination of the facts discloses that there is only one wholesale receiving point of any consequence within the Northern New Jersey area, namely, at Newark, New Jersey. If there be any other produce wholesalers within this area such wholesalers are within the free delivery area of Newark, with the exception of Bergen, Passaic, Sussex and Union Counties. As to the latter counties, Appendix B of the accompanying order establishes additional cartage allowances. Since Newark is not a pri-

mary receiving market for citrus fruits, cartage allowances for citrus fruits are established for Newark and all seven counties.

An examination of the facts and consultation with produce dealers whose places of business are located at Newark, New Jersey, discloses that these commodities are customarily transported to Newark, New Jersey, in some instances by rail in direct carlots from basing points, and in other instances in carlots by rail to wholesale receiving points in New York City, and thence by truck from New York City to Newark, New Jersey, with the exceptions noted above.

The cheapest method generally available for obtaining fresh fruits and vegetables in the Newark, New Jersey market and all wholesale receiving points in the Counties of Essex, Hudson, and Union is by direct rail freight in carlot quantities from basing point cities (with the exception of citrus fruits). As to Bergen, Passaic, Sussex and Morris, there are no primary receivers in these counties. Consequently, cartage is allowed by Appendix B.

On the basis of the foregoing information, the District Director has determined, and the accompanying order establishes, that the amount of freight and cartage from basing point to receiving point, inclusive of transportation tax, protective and accessorial services which may be allowed in determining maximum selling prices of the above referred to fresh fruits and vegetables at all wholesale receiving points in the counties set forth described in the order, shall be the amounts as stated in Appendices A and B of the order.

The action taken by the accompanying order and the freight and cartage allowances established are generally fair and equitable, and are not contrary to the purposes of Executive Orders Nos. 9250 and 9328 and the provisions of Maximum Price Regulation No. 426.

[F. R. Doc. 46-17302; Filed, Sept. 25, 1946; 9:07 a. m.]

[Region III Order G-66 Under Gen. Order 68]
HARD BUILDING MATERIALS IN ASHLAND,
KY., AREA

For the reasons set forth in an opinion which has been filed with the Division of the Federal Register, and pursuant to the provisions of General Order No. 68 and of Regional Basic Order No. 1-B under General Order 68, this order is issued:

SECTION 1. What this order does. This adopting order establishes dollars-and-cents maximum prices for the hard building materials listed in Table I, hereof, when sold at retail or from any point within the Ashland, Kentucky, Area.

SEC. 2. Area covered. For the purposes of this order, the "Ashland, Kentucky, Area" consists of the Counties of Boyd, Carter, Elliott, Floyd, Greenup, Johnson, Lawrence, Magoffin, Martin and Pike in the State of Kentucky.

SEC. 3. Applicability of Basic Order No. 1-B. All the provisions of Basic Order No. 1-B, consistent with this

Adopting Order No. G-66, are hereby adopted by, and incorporated by reference into, this order as though fully rewritten herein. If Basic Order No. 1-B is amended in any respect, all of the provisions of that order, as amended, shall likewise, without other action, be a part of this order.

All persons subject to this adopting order are also subject to, and should read and be familiar with, the provisions of Basic Order No. 1-B.

SEC. 4. Maximum prices—(a) Price list. The maximum prices for hard building materials covered by this order shall be those set forth in Table I which is annexed to, and made a part of, this order. Prices lower than the listed maximum prices may, of course, be charged or paid.

(b) Delivery. (i) The maximum prices listed in Table I hereof include free delivery.

(1) Of purchases of ten dollars value or more to any point within the corporate limits of the city or town wherein the seller's place of business is located, and,

(2) Of purchases in quantities of five tons or more, to any point within a radius of ten miles of the seller's place of business.

(ii) For delivery of purchases of quantities of five tons or more, of any hard building materials covered hereby to points beyond the free delivery zones described in subsection (i) (2) above, or, of purchases of ten dollars' value or more, but in quantities less than five tons, beyond the free delivery zones described in subsection (i) (1) above, the seller may make a delivery charge of not more than twenty cents for each mile, or fraction thereof, by which the point of delivery is located beyond said free delivery zones.

(iii) (1) For delivery of purchases of less than ten dollars' value within the zones specified in subsection (i) (1) above, the seller may make a charge of not more than fifty cents.

(2) For delivery of purchases of less than ten dollars' value beyond the zones specified in subsection (i) (1) above, the seller may charge not more than the amount permitted under subsection (ii) above, for sales of ten dollars' value, plus fifty cents.

(iv) No deduction need be made from the maximum prices listed in Table I, hereof, where the purchaser elects to make his own delivery.

(c) Discounts and additions. (i) No seller covered hereby shall discontinue or reduce any of the discounts which he offered in March, 1942 to different classes of customers.

(ii) Any seller covered hereby may make additional charges for sales of commodities listed in Table I, hereof, in broken packages of less than one unit, *Provided*, Such additional charges do not exceed those made by the seller in March 1942 for such sales.

This Order No. G-66 shall become effective June 25, 1946.

Issued June 11, 1946.

J. F. KESSEL,
Regional Administrator.

TABLE I OF ORDER NO. G-66 UNDER GENERAL ORDER NO. 68 MAXIMUM PRICES FOR SALES OF LISTED HARD BUILDING MATERIALS IN THE ASHLAND, KY., AREA

Commodity	Unit	Maximum price
Plaster:		
Hardwall.....	50 lb. bag.....	\$0.65
Hardwall.....	100 lb. bag.....	1.10
Gauging.....	100 lb. bag.....	1.80
Moulding.....	100 lb. bag.....	1.90
Keene's cement.....	100 lb. bag.....	2.35
Finishing lime.....	50 lb. bag.....	.65
Gypsum lath, 3/8 in.....	Sq. ft.....	.0275
Metal lath:		
2.5 lb., painted diamond mesh.....	Sq. yd.....	.275
3.4 lb., painted diamond mesh.....	Sq. yd.....	.32
Corner bead, expanded type.....	Lin. ft.....	.035
Portland cement, standard.....	94 lb. bag.....	.75
Masonry mortar.....	70 lb. bag.....	.75
Mason's hydrated lime.....	50 lb. bag.....	.60
Waterproof cement (gray).....	94 lb. bag.....	1.10
Firebrick, 9 in., straight first quality.....	Each.....	.09
Fire clay.....	100 lb. bag.....	1.50
Clay drain tile, 4 in.....	Lin. ft.....	.085
Vitrified clay sewer pipe No. 188:		
4 in.....	Lin. ft.....	.20
6 in.....	Lin. ft.....	.2925
Flue lining:		
4 1/2 in. x 9 in.....	Lin. ft.....	.27
9 in. x 9 in.....	Lin. ft.....	.35
9 x 13 in.....	Lin. ft.....	.52
13 in. x 13 in.....	Lin. ft.....	.675
Gypsum wallboard, 3/8 in.....	Sq. ft.....	.04
Asphalt roofing, 90 lb., mineral surface.....	108 sq. ft. roll.....	2.80
Asphalt or tarred felt:		
15 lb.....	432 sq. ft. roll.....	2.70
30 lb.....	216 sq. ft. roll.....	2.70
Asphalt shingles:		
210 lb. (3 in 1), thickbutt.....	100 sq. ft.....	6.35
165 lb., 2-tab hexagon.....	100 sq. ft.....	5.03
Fibre insulation board:		
1/2 in. standard lath and board.....	Sq. ft.....	.0475
2 1/2 in. asphalt sheathing.....	Sq. ft.....	.06
Asbestos cement siding, 12 in. x 24 in. or 27 in. standard colors.....	100 sq. ft.....	8.40
Standard density synthetic fibre board, 3/8 in. (4 x 8).....	Sq. ft.....	.10
Hard density synthetic fibre board, 3/8 in., tempered (standard size).....	Sq. ft.....	.12

Delivery charges: (i) The maximum prices listed in Table I hereof include free delivery.

(1) Of purchases of ten dollars' value or more to any point within the corporate limits of the city or town wherein the seller's place of business is located, and,

(2) Of purchases in quantities of five tons or more, to any point within a radius of ten miles of the seller's place of business.

(ii) For delivery of purchases of quantities of five tons or more, of any hard building materials covered hereby to points beyond the free delivery zones described in subsection (i) (2) above, or, of purchases of ten dollars' value or more, but in quantities less than five tons, beyond the free delivery zones described in subsection (i) (1) above, the seller may make a delivery charge of not more than twenty cents for each mile, or fraction thereof, by which the point of delivery is located beyond said free delivery zones.

(iii) (1) For delivery of purchases of less than ten dollars' value within the zones specified in subsection (i) (1) above, the seller may make a charge of not more than fifty cents.

(2) For delivery of purchases of less than ten dollars' value beyond the zones specified in subsection (i) (1) above, the seller may charge not more than the amount permitted under subsection (ii) above, for sales of ten dollars' value, plus fifty cents.

(iv) No deduction need be made from the maximum prices listed in Table I, hereof, where the purchaser elects to make his own delivery.

Discounts: (i) No seller covered hereby shall discontinue or reduce any of the discounts which he offered in March, 1942, to different classes of customers.

(11) Any seller covered hereby may make additional charges for sales of commodities listed in Table I, hereof, in broken packages of less than one unit: *Provided*, Such additional charges do not exceed those made by the seller in March 1942 for such sales.

OPINION ACCOMPANYING ORDER NO. G-66
UNDER GENERAL ORDER NO. 68

The accompanying order establishes area-wide prices for retail sales of hard building materials in the Ashland, Kentucky, Area. The order is issued under the provisions of General Order No. 68 and adopts all the applicable provisions contained in Basic Order No. 1-B under General Order No. 68. The opinion accompanying said Basic Order No. 1-B is hereby incorporated by reference into this opinion.

The defined area covered by the accompanying order includes the Counties of Boyd, Carter, Elliot, Floyd, Greenup, Johnson, Lawrence, Magoffin, Martin and Pike in the State of Kentucky.

The maximum prices established by the accompanying order supersede pricing provisions currently in effect for retail sales of the listed hard building materials in this Area.

This action has been discussed with members of the trade in the area at informal meetings with representative dealers. Most of the dealers in attendance agreed that prices established by the accompanying order are in line with those formerly prevailing under the freeze. All suggestions and recommendations of the trade have been considered and have been incorporated into the accompanying order to the extent that these suggestions were consistent with the provisions of General Order No. 68 and the Emergency Price Control Act of 1942.

In the opinion of the Regional Administrator, the provisions of the accompanying order are fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of General Order No. 68, as amended.

[F. R. Doc. 46-17311; Filed, Sept. 25, 1946; 9:03 a. m.]

[Region VII Orders G-2 and G-6 through G-28 Under Gen. Order 68, Amdt. 3.]

BUILDING AND CONSTRUCTION MATERIALS IN
DENVER REGION

Orders No. G-2 and G-6 through G-28 under General Order No. 68, Amendment No. 3. Maximum Prices for Retail Sales of Certain Building and Construction Materials in Region VII. Docket No. 7-GO 68-2 and 6 through 28 (c).

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region VII pursuant to the provisions of General Order 68, Orders No. G-2 and G-6 through G-28 are each amended in the following respects:

(1) The maximum price set forth in Table I for Portland Cement-Cloth Sacks shall be increased 5¢ per sack.

(2) A note is added to the bottom of Table I to read as follows:

NOTE: The maximum price set forth above for Portland Cement-Cloth Sacks includes a 25¢ deposit. This deposit shall be refunded to the purchaser when the sack is returned.

(3) This amendment shall become effective September 5, 1946.

Issued this 5th day of September 1946.

PAUL D. SHRIVER,
Acting Regional Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 3
TO ORDERS G-2 AND G-6 THROUGH G-28
UNDER GENERAL ORDER NO. 68

This Amendment No. 3 to each of Orders No. G-2 and G-6 through G-28 under General Order No. 68, increases the maximum price of Portland Cement sold in 100 lb. cloth sacks by 5¢. This increase is made in order to comply with a directive from the National Office of the Office of Price Administration permitting sellers to charge a 25¢ deposit for the cloth sack. The customary deposit in Region VII has been 20¢ per sack, which was included in the maximum price and was refunded when the sack was returned. The increase of 5¢ in the maximum price and the requirement that 25¢ be refunded continues the price of the cement at the same level. This action is taken because of the higher cost of cloth sacks, and to insure the return of the sacks.

In view of the facts set forth herein, the Regional Administrator is of the opinion that the accompanying Amendment No. 3 to each of Orders No. G-2 and G-6 through G-28 under General Order 68 is proper and consistent with the purposes and standards of the Emergency Price Control Act of 1942, as amended, and the provisions of General Order 68 under which Orders No. G-2 and G-6 through G-28 were issued.

[F. R. Doc. 46-17310; Filed, Sept. 25, 1946; 9:04 a. m.]

[Twin Cities Order G-3 Under Gen. Order 68, Amdt. 3]

HARD BUILDING MATERIALS IN DULUTH,
MINN., AREA

For the reasons set forth in the accompanying opinion issued simultaneously herewith, *It is ordered*:

1. The heading of the order is amended to read as set forth above.

2. The following items and maximum prices specified in the appendix are amended to read:

Commodity and unit	Maximum price
Metal lath, 2.5 lb., P. D. M., 26 gauge; sq. yd.	\$0.28
Metal lath, 2.5 lb., galv., 26 gauge; sq. yd.	.31
Metal lath, 3.4 lb., galv., 24 gauge; sq. yd.	.365
Corner bead, expanded type, per 1,000 lin. ft.	43.00
Asphalt roofing, 90 lb., M. S., per roll.	2.75
Asphalt or tarred felt roofing, 15 lb., per roll.	2.55
Asphalt or tarred felt roofing, 30 lb., per roll.	2.55
Asphalt shingles, 210 lb. (3 in 1) thick butt, per sq.	6.20
Asphalt shingles, 165 lb., 2 tab., hex., per sq.	5.00
Fibre insulation board, $\frac{25}{32}$ " asphalt sheathing, per 1,000 sq. ft.	60.00

3. This amendment shall become effective July 31, 1946.

4. Issued this 29th day of July 1946.

CAREL C. KOCH,
District Director.

OPINION ACCOMPANYING AMENDMENT NO. 3
TO ORDER NO. G-3 UNDER GENERAL ORDER
NO. 68

Pursuant to the provisions of General Order No. 68, maximum prices established by order thereunder may be adjusted when they are no longer fair and equitable in the area designated by such order. Recently, manufacturers of certain types of roofing material and all metal lath and accessories were granted increases in their maximum prices. Such lawful increases have increased costs of resellers of the items to an extent which makes the maximum prices of such sellers under this order no longer fair and equitable and require adjustment. The accompanying amendment accomplishes that result.

Inadvertently, the order was designated Order No. 3 Under General Order No. 68 instead of Order No. G-3 Under General Order No. 68. Since orders issued under general order are designated with a G before the numeral, the amendment makes the necessary correction.

CAREL C. KOCH,
District Director.

[F. R. Doc. 46-17167; Filed, Sept. 24, 1946; 9:00 a. m.]

[Newark Rev. Order G-2 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN NEW
JERSEY AREA

For the reasons stated in an accompanying opinion, this order is issued.

SECTION 1. *What this order does.* This order establishes the amount of freight from "basing point" to "wholesale receiving point" which may be added to the maximum f. o. b. shipping point price to determine the maximum selling prices for certain fresh fruits and vegetables at all "wholesale receiving points" in the area described in section 2 below.

SEC. 2. *Area covered.* This order applies in Counties of Camden, Burlington, Atlantic, Cape May, Gloucester, Salem, Cumberland, Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Warren and Somerset, New Jersey.

SEC. 3. *Amount of freight allowance.* The amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices of the items covered by this regulation at all wholesale receiving points in the area described above, and in the markets they serve, shall be the amounts set forth in the Appendices hereunto annexed. This amount includes all allowances, if any, for protective and other accessorial services and all taxes on transportation costs. The amount of freight from basing point to the City of Newark, and all wholesale receiving points in the Counties of Camden, Burlington, Atlantic, Cape May,

Gloucester, Salem, Cumberland, Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Warren and Somerset, New Jersey, is hereinafter set forth in Appendix A. Appendix B establishes additional transportation allowances (cartage) to all wholesale points in the fourteen counties as enumerated, when the commodities listed in Appendix B are transported from New York, Newark, New Jersey or Philadelphia, Pennsylvania.

SEC. 4. *Meaning of terms.* The terms "basing point" and "wholesale receiving point" are to be understood as defined in Maximum Price Regulation No. 426.

SEC. 5. This Revised Order G-2 revises and supersedes Order G-2 issued by the Newark District Office, June 14, 1946.

SEC. 6. *Effective date.* This revised order shall become effective on August 13, 1946 at 12:01 a. m.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F. R. 7871; E. O. 9328, 8 F. R. 4687; MPR 426; 8 F. R. 16409)

Issued August 13, 1946.

RICHARD J. TARRANT,
District Director.

For Agriculture:

K. W. SCHAELE.

APPENDIX A
FREIGHT FROM BASING POINT TO NEW YORK, NEWARK, AND PHILADELPHIA

Commodity	Standard container and minimum contents	Basing points	Date	Freight allowance	
				New York and Newark	Philadelphia
Carrots, bunched	L. A. crate, 72 bunches, each bunch 1 pound	El Centro, Calif.	Jan. 16 to Mar. 31	\$1.53	\$1.53
		do.	Apr. 1 to May 31	1.64	1.64
		Salinas, Calif.	June 1 to Nov. 30	1.74	1.74
		do.	Dec. 1 to Jan. 15	1.64	1.64
Grapefruit, pink, California and Arizona	1½ bushels	Los Angeles, Calif.	Nov. 1 to Apr. 30	1.24	1.24
		do.	May 1 to Oct. 31	1.31	1.31
Grapefruit, pink, all other States	1½ bushels	Weslaco, Tex.	All year	1.17	1.15
Grapefruit, white, California and Arizona	1½ bushels	Los Angeles, Calif.	Nov. 1 to Apr. 30	1.24	1.24
		do.	May 1 to Oct. 31	1.31	1.31
Grapefruit, white, Texas	1½ bushels	Weslaco, Tex.	All year	1.17	1.15
Grapefruit, white, all other States including "Indian River"	1½ bushels	Homestead, Fla.	do.	.93	.93
Lemons, all States	1½ bushels	Los Angeles, Calif.	(Nov. 1 to Apr. 30)	1.28	1.28
		do.	May 1 to Oct. 31	1.42	1.42
		El Centro, Calif.	Jan. 1 to Feb. 28	1.56	1.56
		do.	Mar. 1 to Mar. 31	1.60	1.60
		Salinas, Calif.	Apr. 1 to Apr. 30	1.68	1.68
		do.	May 1 to May 31	1.73	1.73
		do.	June 1 to Oct. 15	1.83	1.83
		do.	Oct. 16 to Nov. 30	1.68	1.68
		El Centro, Calif.	Dec. 1 to Dec. 31	1.60	1.60
		do.	Beginning of season to July 25	1.90	1.90
Melons, cantaloups and honeyballs	Jumbo crate, 83 pounds	Mendota, Calif.	July 26 to end of season	1.98	1.98
	Standard crate, 68 pounds	El Centro, Calif.	Beginning of season to July 25	1.65	1.65
	do.	Mendota, Calif.	July 26 to end of season	1.72	1.72
Casaba melons	Pony crate, 57 pounds	El Centro, Calif.	All season	1.88	1.88
Honeydew melons	Jumbo or standard crate, 42 pounds	Mendota, Calif.	All year	1.14	1.14
	Jumbo or standard honeydew crate, 39 pounds	El Centro, Calif.	Beginning of season to July 25	1.09	1.09
	do.	Mendota, Calif.	July 26 to end of season	1.14	1.14
	Jumbo cantaloup crate, 53 pounds	El Centro, Calif.	Beginning of season to July 25	1.90	1.90
	do.	Mendota, Calif.	July 26 to end of season	1.98	1.98
Cranshaw melons	Jumbo or standard crate, 40 pounds	do.	All year	1.14	1.14
Persian melons	Jumbo Persian crate, 43 pounds	do.	do.	1.14	1.14
	Standard Persian crate, 37 pounds	do.	do.	1.02	1.02
	Pony Persian crate, 36 pounds	do.	do.	.93	.93
Oranges, California and Arizona	1½ bushels	Los Angeles, Calif.	(Nov. 16 to Apr. 30)	1.35	1.35
Oranges, all other States, including "Indian River"	1½ bushels	Homestead, Fla.	May 1 to Nov. 15	1.43	1.43
Snap beans (green or wax)	Bushel, 28 pounds	Pompano, Fla.	do.	.52	.47
Spinach	Bushel, 18 pounds	Crystal City, Tex.	do.	.42	.41
Sweet potatoes:					
Green	50 pounds	Sunset, La.	do.	.53	.52
Cured	45 pounds	do.	do.	.53	.53
Tangerines, all States except California and Arizona	1½ bushels	Homestead, Fla.	do.	.93	.93

APPENDIX B

CARTAGE ALLOWANCE FROM NEW YORK, NEWARK, AND PHILADELPHIA TO ALL WHOLESALE RECEIVING POINTS IN THE COUNTIES OF ATLANTIC, CAPE MAY, CAMDEN, BURLINGTON, GLOUCESTER, SALEM, CUMBERLAND, HUNTERDON, MERCER, MIDDLESEX, MONMOUTH, OCEAN, WARREN, AND ALL OF SOMERSET COUNTY EXCEPT THE BOROUGH OF NORTH PLAINFIELD, N. J.

Commodity	Standard container and minimum contents	Cartage allowance
Apples	Bushel	\$.25
Carrots, bunched	L. A. crate, 72 bunches, each bunch 1 lb.	.35
Citrus fruit, all	1½ and 1¾ bushels	.35
Lettuce, iceberg	L. A. or Salinas crate with 48 heads and weighing 60 pounds	.35
Melons	All, net weight over 50 pounds	.35
	All, net weight under 50 pounds	.20
Peaches	Bushel	.25
	Lug	.15
Snap beans (green or wax)	Bushel, 28 pounds	.15
Spinach	Bushel, 18 pounds	.15
Sweet potatoes	45-50 pounds	.25

NOTE: Above transportation allowance not permitted on carlot or trucklot receipts in wholesale markets direct from shipping point.

OPINION ACCOMPANYING REVISED ORDER NO. G-2 UNDER SECTION 8 (A) (7) OF MAXIMUM PRICE REGULATION NO. 426

Maximum selling prices of fresh fruits and vegetables and citrus fruits (under price control) for all sales except at retail at all wholesale receiving points in the Counties of Camden, Burlington, Atlantic, Cape May, Gloucester, Salem, Cumberland, Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Warren and Somerset, New Jersey, and in the markets they serve, are determined under Maximum Price Regulation No. 426. Prices are established by adding mark-ups to the "delivered price" at the receiving point. The delivered price is established by adding to the maximum basing point price the cost of freight from the basing point to the wholesale receiving point. Section 8 (a) (7) of Maximum Price Regulation No. 426 authorizes and directs the Regional Administrators, and such District Directors as may be authorized by the appropriate Regional Administrator, to determine for each item cov-

ered by that regulation, the cheapest customary and generally available method of transportation from the basing point to each wholesale receiving point within their jurisdiction, and to establish the amount of freight cost which may be added to the basing point price for the purpose of establishing maximum selling prices at each wholesale receiving point and in the markets they serve. This authority was delegated by order to the District Director of the Newark District by the Regional Administrator for Region II.

An examination of the facts discloses that there is no wholesale receiving point of any consequence within the Southern New Jersey area. Wholesalers located in the fourteen counties comprising the southern area of New Jersey are supplied directly from the primary receiving markets which are located in New York, New York, Newark, New Jersey and Philadelphia, Pennsylvania. Appendix A which is a part of the accompanying order accordingly establishes the delivered price at such primary receiving point which

includes transportation, protective and accessorial services and taxes thereon. Appendix B of the accompanying order establishes additional transportation (cartage) allowances from the primary receiving market to the wholesalers' establishment.

An examination of the facts and consultation with produce dealers whose places of business are located in the southern area of the State of New Jersey, discloses that the commodities covered by the accompanying order are customarily transported to the three primary receiving markets indicated above by rail in direct carlots from the basing points and thence by truck from such primary receiving points to the various wholesalers' places of business in the southern area.

The cheapest method generally available for obtaining fresh fruits and vegetables in the fourteen southern counties is by direct rail freight in carload quantities from basing point cities to the primary receiving markets mentioned above and thence by truck to the respective wholesale establishment.

On the basis of the foregoing information, the District Director has determined, and the accompanying order establishes, that the amount of freight and cartage from basing point to receiving point, inclusive of transportation tax, protective and accessorial services which may be allowed in determining maximum selling prices of the above referred to fresh fruits and vegetables at all wholesale receiving points in the counties set forth described in the order, shall be the amounts as stated in Appendices A and B of the order.

The action taken by the accompanying order and the freight and cartage allowances established are generally fair and equitable, and are not contrary to the purposes of Executive Orders Nos. 9250 and 9328 and the provisions of Maximum Price Regulation No. 426.

[F. R. Doc. 46-17303; Filed, Sept. 25, 1946; 9:07 a. m.]

[Green Bay Order 7 Under Gen. Order 68, Amdt. 2]

HARD BUILDING MATERIALS IN MANITOWOC, KEWAUNEE AND DOOR COUNTIES, WIS.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Green Bay District Order No. 7 issued under the authority of General Order No. 68 is amended in the following respect:

The following item is amended to read:

Metal lath 3.4 lb. painted diamond mesh, sq. yd. \$0.36

This Amendment No. 2 to Green Bay District Order No. 7 under General Order No. 68 shall become effective August 30, 1946.

Issued this 30th day of August 1946.

F. L. EARP,
District Director.

OPINION ACCOMPANYING AMENDMENT NO. 2 TO ORDER NO. 7 UNDER GENERAL ORDER NO. 68

Pursuant to General Order No. 68, Green Bay District Order No. 7 was issued

the 22d day of May 1946 and was amended to comply with section 2 (t) of the Emergency Price Control Act of 1942 on August 24, 1946.

Amendment No. 2 to Green Bay District Order No. 7, which this opinion accompanies, corrects an error in typography which was made in Amendment No. 1. It is the opinion of the District Director that this amendment is generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17303; Filed, Sept. 25, 1946; 9:04 a. m.]

[Region V Revocation of Order G-2 Under Gen. Order 68]

STOCK SCREEN GOODS SOLD IN ARKANSAS AND LOUISIANA AREA

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of Region V, of the Office of Price Administration by General Order No. 68,

It is hereby ordered, That:

Order No. G-2 issued under General Order No. 68 establishing maximum prices at the retail level for stock screen goods when sold in the area comprising the States of Arkansas and Louisiana, issued at Dallas, Texas, on the 21st day of February, 1946, by W. A. Orth, Regional Administrator, Region V, be and the same is hereby revoked.

This order shall become effective this 29th day of August 1946.

Issued at Dallas, Texas, this 23d day of August 1946.

W. A. ORTH,
Regional Administrator.

OPINION ACCOMPANYING ORDER REVOKING ORDER NO. G-2 ISSUED UNDER GENERAL ORDER NO. 68

The accompanying order revokes Order No. G-2 issued under General Order No. 68 which established maximum prices for the sale at the retail level of stock screen goods when sold in the States of Arkansas and Louisiana.

Prior to the issuance of said Order No. G-2, all sales covered by it were covered by Maximum Price Regulation No. 381.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the Price Control Extension Act of 1946, Maximum Price Regulation No. 381 is being amended which will have the effect of increasing prices established by Order No. G-2 issued under the General Order No. 68. Maximum Price Regulation No. 381, as amended, will also provide the same simplified specific item pricing of stock screen goods as was formerly accomplished by Order No. G-2.

For these reasons said Order No. G-2 is being revoked, and all sales formerly covered by the terms of said order will automatically, at the effective date of the accompanying order, be covered by Maximum Price Regulation 381.

[F. R. Doc. 46-17130; Filed, Sept. 23, 1946; 8:45 a. m.]

[Little Rock Order 8 Under Gen. Order 68, Amdt. 1]

BUILDING MATERIALS IN PHILLIPS AND LEE COUNTIES, ARK.

Pursuant to the Emergency Price Control Act of 1942, as amended, General Order No. 68, and Delegation of Authority Order No. 126, and in accordance with Order No. 8 issued under General Order No. 68 by the Little Rock District Director of the OPA, and for the reasons set forth in the accompanying opinion, this amendment is issued. The statement of considerations involved in the issuance of this Amendment No. 1 to Order No. 8 under General Order No. 68, has been issued simultaneously herewith and filed with the Division of the Federal Register.

It is ordered, That the title and contents of section VII of Order No. 8, under General Order No. 68, is amended to read as follows:

SEC. VII. *Adjustment to reflect increase in supplier's price.*—(a) *Applicability.* This section is applicable only where the amendment or order which grants your supplier an increase in his maximum prices provides that all resellers, including those subject to area orders, issued under General Order No. 68, may increase their maximum prices for the commodity in question.

(b) *Maximum price.* You may increase the price listed in this order by the amount permitted for resellers by the amendment or order increasing your supplier's maximum price. You can only do this, however, if the effective date of the action increasing your supplier's maximum price is later than the date stated on the price list contained in this order.

It is also ordered, That Appendix A to Order No. 8, under General Order No. 68, is amended in the following respects:

(1) The dollars-and-cents prices for specific items of hard building materials contained in Order No. 8, issued under General Order No. 68, are revised to the extent set forth in Appendix A attached hereto and dated August 23, 1946.

(2) The original Appendix A to Order No. 8, under General Order No. 68, is hereby by reference dated August 23, 1946.

(3) The hard building material item fire clay powder, originally set forth in Appendix A of Order No. 8, under General Order No. 68, is deleted from said appendix.

(4) The hard building material item masonry mortar, originally set forth in the Order as 65# bag, is corrected to read 70# bag.

(5) The hard building material item Keene's Cement, priced in the Original Order at \$3.50 per 100# sack, is corrected to show a price of \$2.55 per 100# sack.

This Amendment No. 1 shall become effective August 23, 1946.

Issued at Little Rock, Arkansas, this 23d day of August 1946.

ROBERT P. HALL,
District Director.

APPENDIX A

REVISED MAXIMUM PRICES FOR RETAIL SALES OF SPECIFIED BUILDING MATERIALS WHEN MADE IN PHILLIPS AND LEE COUNTIES, ARKANSAS

Name of item	Selling unit	Revised maximum prices for sales f. o. b. plant, store or delivered within free delivery zone
Asbestos cement roofing shingles:		
Economy cut:		
Colors.....	100 sq. ft.....	\$11.85
Green.....	100 sq. ft.....	12.47
Asbestos cement siding:		
12" x 24" x 27":		
White, plain, LCL.....	100 sq. ft.....	10.05
White, plain, CL.....	100 sq. ft.....	9.45
White, glazed.....	100 sq. ft.....	10.70
Colors.....	100 sq. ft.....	10.70
Asphalt roofing:		
90 lb. mineral surface.....	Roll, 1 sq.....	8.30
45 lb. smooth surface.....	Roll, 1 sq.....	1.94
55 lb. smooth surface.....	Roll, 1 sq.....	2.50
65 lb. smooth surface.....	Roll, 1 sq.....	2.77
Asphalt shingles:		
210 lb. (3 in 1), thickbutt, LCL.....	100 sq. ft.....	6.67
210 lb. (3 in 1), thickbutt, CL.....	100 sq. ft.....	5.98
167 lb., hexagon, LCL.....	100 sq. ft.....	5.27
167 lb., hexagon, CL.....	100 sq. ft.....	4.74
Cap sheet, 68 lb.....	Roll, 2 sq.....	2.68
Asphalt or tarred felt:		
15 lb., LCL.....	Roll, 4 sq.....	3.14
15 lb., CL.....	Roll, 4 sq.....	3.03
30 lb., LCL.....	Roll, 8 sq.....	3.14
30 lb., CL.....	Roll, 8 sq.....	3.03
Cement:		
Portland, std., LCL.....	94 lb. bag.....	.865
Portland, std., CL.....	94 lb. bag.....	3.18
Portland, quick setting.....	94 lb. bag.....	1.165
Asphalt roll brick:		
Corners.....	Lin. ft.....	.24
Siding, LCL.....	100 sq. ft.....	4.34
Siding, CL.....	100 sq. ft.....	3.49
Soldier course.....	100 sq. ft.....	3.67
Fibre insulation board and lath:		
3/4".....	M sq. ft.....	47.90
1/2".....	M sq. ft.....	64.50
Plank.....	M sq. ft.....	76.70
Asphalt imp. sheathing, 26/32".....	M sq. ft.....	82.00
Gypsum lath, 3/8".....	M sq. ft.....	38.00
Lime:		
Finishing, 50-lb., under 20.....	50-lb bag.....	.84
50-lb., 20 and up.....	50-lb bag.....	.78
50-lb., CL.....	50-lb bag.....	.72
Masons, hydrated:		
10-lb.....	10-lb. bag.....	.28
40-lb.....	40-lb. bag.....	.67
50-lb., under 20.....	50-lb. bag.....	.82
50-lb., 20 and over.....	50-lb. bag.....	.61
50-lb., CL.....	50-lb. bag.....	.53
Brewer pipe vitrified clay:		
4".....	Lin. ft.....	.24
6".....	Lin. ft.....	.365
8".....	Lin. ft.....	.51
10".....	Lin. ft.....	.73
12".....	Lin. ft.....	.93
15".....	Lin. ft.....	1.60
18".....	Lin. ft.....	2.22
24".....	Lin. ft.....	3.95
Wall coping:		
9".....	Lin. ft.....	.37
13".....	Lin. ft.....	.47

OPINION ACCOMPANYING AMENDMENT NO. 1 TO ORDER NO. 8 UNDER GENERAL ORDER NO. 68

Pursuant to the authority vested in the District Director of the Little Rock District Office by General Order No. 68 and Order of Delegation No. 126 issued by the Regional Administrator of Region V, and in accordance with the provisions of Order No. 8, under General Order No. 68, Amendment No. 1 to the above order has been issued.

Order No. 8, under General Order No. 68, was issued by the Little Rock District Director of the OPA on June 28, 1946, and became effective July 1, 1946. This

order established dollars-and-cents ceiling prices for various items of hard building materials set forth in Appendix A thereof when sold at retail in the geographical area comprising Phillips and Lee Counties, Arkansas.

Subsequent to March 31, 1946, various industry-wide adjustments have been granted manufacturers of hard building materials; and under the provisions of the Emergency Price Control Act as amended, the retail industry is entitled to its March, 1946 mark-up on those items on which the manufacturer has received adjustments. Therefore, in view of increases granted the producer of hard building materials, it has been necessary, under the provisions of the Emergency Price Control Act of 1942, as amended, to amend and revise the retail price list of hard building material items (as of August 23, 1946) to the extent set forth in the accompanying Amendment. Such action by the District Director has been found necessary under the act and will remove all inequities now existing in the original order.

Section VII of Order No. 8 provides that retailers subject to the order are required to absorb all price increases granted the producer of hard building materials. However, under the provisions of the Emergency Price Control Act, as amended, the retail industry is entitled to its March, 1946 mark-up on items on which the manufacturer has received price increases. Because of this provision of the act as amended, it has been necessary to amend Order No. 8 to conform to the new provisions of the Act. It is also for this reason that this amendment is being issued.

Since the issuance of the above order, it has been found that certain items of building materials have been either suspended from price control or covered by other regulations, and also that items set forth in the order have been inaccurately described because of typographical errors. Therefore, this Amendment is also being issued to delete items exempt from control or covered by other regulations, as well as to correct typographical errors which appeared in the description of items of hard building materials in the original order.

[F. R. Doc. 46-17123; Filed, Sept. 23, 1946; 8:47 a. m.]

[Region III Order G-4 Under SSR 47 Under RMPR 165, Amdt. 1]

RETAIL SHOE REPAIR SERVICES IN CLEVELAND REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator by § 1499.680 (a) of Supplementary Service Regulation No. 47 to Revised Maximum Price Regulation No. 165, It is ordered:

Order No. G-4 under Supplementary Service Regulation No. 47 to Revised Maximum Price Regulation No. 165 is amended by inserting West Virginia immediately after Kentucky in the phrase, "retail shoe repair services in the States

of Ohio, Kentucky, Indiana (except in the County of Lake), and Michigan (except in the Detroit Area which is limited to Wayne, Oakland and Macomb Counties, Michigan)", wherever said phrase appears in said order.

This Amendment No. 1 shall become effective August 26, 1946.

Issued August 26, 1946.

J. F. KESSEL,
Regional Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 1 TO ORDER NO. G-4 UNDER SUPPLEMENTARY SERVICE REGULATION NO. 47 TO REVISED MAXIMUM PRICE REGULATION NO. 165

The accompanying Amendment No. 1 to Order No. G-4 under Supplementary Service Regulation No. 47 to Revised Maximum Price Regulation No. 165, establishes maximum prices for the service of furnishing shoe repair services in the State of West Virginia.

West Virginia was not included in the original order No. G-4 under Supplementary Service Regulation No. 47 to Revised Maximum Price Regulation No. 165, although a study was made of shoe repair prices in this Region which included representative sellers in the State of West Virginia prior to the issuance of said order. However, at the time said order was issued, the Charleston District Office of the Office of Price Administration requested that the State of West Virginia be excluded from the Regional Order.

Since the study of shoe repair prices in this Region included representative sellers in the State of West Virginia and since the conditions upon which the Regional Order was determined existed generally in the State of West Virginia, it has been determined for the same reasons given in the Opinion accompanying Order No. G-4 under Supplementary Service Regulation No. 47 to Revised Maximum Price Regulation No. 165, that the maximum prices established in such order should also be established for such services in the State of West Virginia.

[F. R. Doc. 46-17297; Filed, Sept. 25, 1946; 9:09 a. m.]

[Region VI Order G-12 Under Rev. SO 119, Amdt. 1]

HARDWOOD PRODUCTS CORP.

FLUSH AND PANEL TYPE DOORS IN NEENAH, WISC., AREA

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, It is ordered:

Order No. G-12 under Revised Supplementary Order No. 119 is amended in the following respects: By striking out the words "flush doors" wherever they appear and substituting in lieu thereof the words "flush and panel type doors."

This amendment shall become effective immediately.

Issued this 28th day of August 1946.

EARL W. CLARK,
Regional Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 1
TO ORDER NO. G-12 UNDER REVISED SUPPLEMENTARY ORDER NO. 119

On August 1, 1946, this Office issued Order No. G-12 under the authority of Revised Supplementary Order No. 119 establishing maximum prices for sales of doors manufactured by the Hardwood Products Corporation, Neenah, Wisconsin (hereinafter referred to as the "manufacturer").

The manufacturer had applied for adjustment in its maximum prices of both flush and panel type doors in accordance with the provisions of Revised Supplementary Order No. 119. The coverage of Order No. G-12, however, was incorrectly shown.

This present amendment is issued to make the correction to include panel type doors in the coverage of the order. The provisions of this amendment to Order No. G-12 under Revised Supplementary Order No. 119 are deemed to be fair and equitable and in accordance with the provisions of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-17298; Filed, Sept. 25, 1946; 9:09 a. m.]

[Region 1 Rev. Order G-70 Under RMPR 122, Corr. to Amdt. 5]

SOLID FUELS IN BOSTON REGION

In Price Schedule I, the prices for Pennsylvania Bituminous which are set forth as "\$7.93", "\$8.15" and "\$8.37" are corrected to read as follows: "\$7.83", "\$8.05" and "\$8.27".

Issued this 28th day of August 1946.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 46-17300; Filed, Sept. 25, 1946; 9:08 a. m.]

[Raleigh Order G-3 Under Gen. Order 50, Amdt. 4]

MALT AND CEREAL BEVERAGES IN CHARLOTTE,
N. C., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Raleigh, North Carolina District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, the Appendices A and B in Order G-3 under

General Order No. 50 are amended as follows:

APPENDIX A

PART I—BOTTLED BEERS AND ALES

Commodity and brand or trade name	Maximum price per bottle					
	Group 1B		Group 2B		Group 3B	
	12 oz.	32 oz.	12 oz.	32 oz.	12 oz.	32 oz.
BEER						
Add Heirloom Premium Beer.....	\$0.26	\$0.52	\$0.21	\$0.47	\$0.19	\$0.44
Add Special Beer Van Wych Beer.....	.31		.26		.23	
ALE						
Add Pabst Blue Ribbon Ale.....	.26	.52	.21	.47	.19	.44
Red Lion Ale.....	.26	.52	.21	.47	.19	.44

APPENDIX B

Commodity and brand or trade name	Maximum price per bottle					
	12 oz.	32 oz.	12 oz.	32 oz.	12 oz.	32 oz.
BEER						
Add Yankee-Pilsner Beer.....	\$0.21	\$0.47	\$0.19	\$0.44	\$0.17	\$0.42
Danborg Beer.....	.21	.47	.19	.44	.17	.42
Old New England Beer.....	.21	.47	.19	.44	.17	.42

This Amendment 4 shall become effective September 10, 1946.

Issued this 9th day of September 1946.

THEODORE S. JOHNSON,
District Director.

OPINION ACCOMPANYING AMENDMENT 4 TO
ORDER G-3 UNDER GENERAL ORDER NO. 50

Order G-3 under General Order No. 50 was issued by the District Director of the Charlotte, North Carolina, District Office of the Office of Price Administration on the 13th day of July, 1945, and established specific maximum prices for malt and cereal beverages sold at retail for consumption on or about the premises. Since the order was issued, several new brands of beer have been sold in the area covered by the order. Upon the usual basis for pricing beers at retail the cost at wholesale of such beers required that the order be amended to list such beers. Amendment 4 makes the necessary changes.

The prices fixed by Order G-3, as amended by Amendment 4, are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and Executive Order No. 9328.

[F. R. Doc. 46-17306; Filed, Sept. 25, 1946; 9:05 a. m.]

[Raleigh 2d Rev. Order G-1 Under Gen. Order 50, Amdt. 4]

MALT AND CEREAL BEVERAGES IN RALEIGH,
N. C., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Raleigh, North Carolina District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17 issued May 5, 1944, the Appendix A in 2d Revised Order No. G-1 under General Order No. 50 is amended as follows:

APPENDIX A

PART I—BOTTLED BEERS AND ALES

Commodity and brand or trade name	Maximum prices per bottle					
	Group 1B		Group 2B		Group 3B	
	12 oz.	32 oz.	12 oz.	32 oz.	12 oz.	32 oz.
BEER						
Add Special beer Van Wyck beer.....	\$0.31		\$0.26		\$0.23	

This Amendment 4 shall become effective September 10, 1946.

Issued this 9th day of September 1946.

THEODORE S. JOHNSON,
District Director.

OPINION ACCOMPANYING AMENDMENT 4 TO
2D REVISED ORDER NO. G-1 UNDER GENERAL ORDER NO. 50

Second Revised Order No. G-1 under General Order No. 50 was issued by the District Director of the Raleigh, North Carolina District Office of the Office of Price Administration on the 14th day of May 1945, and established specific maximum prices for malt and cereal beverages sold at retail for consumption on or about the premises. Since the order was issued, several new brands of beer have been sold in the area covered by the order. Upon the usual basis for pricing beers at retail the cost at wholesale of such beers required that the order be amended to list such beers. Amendment 4 makes the necessary changes.

The prices fixed by Second Revised Order No. G-1, as amended by Amendment 4, are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and Executive Order No. 9328.

[F. R. Doc. 46-17305; Filed, Sept. 25, 1946; 9:05 a. m.]

